

EXHIBIT 2

Page 1

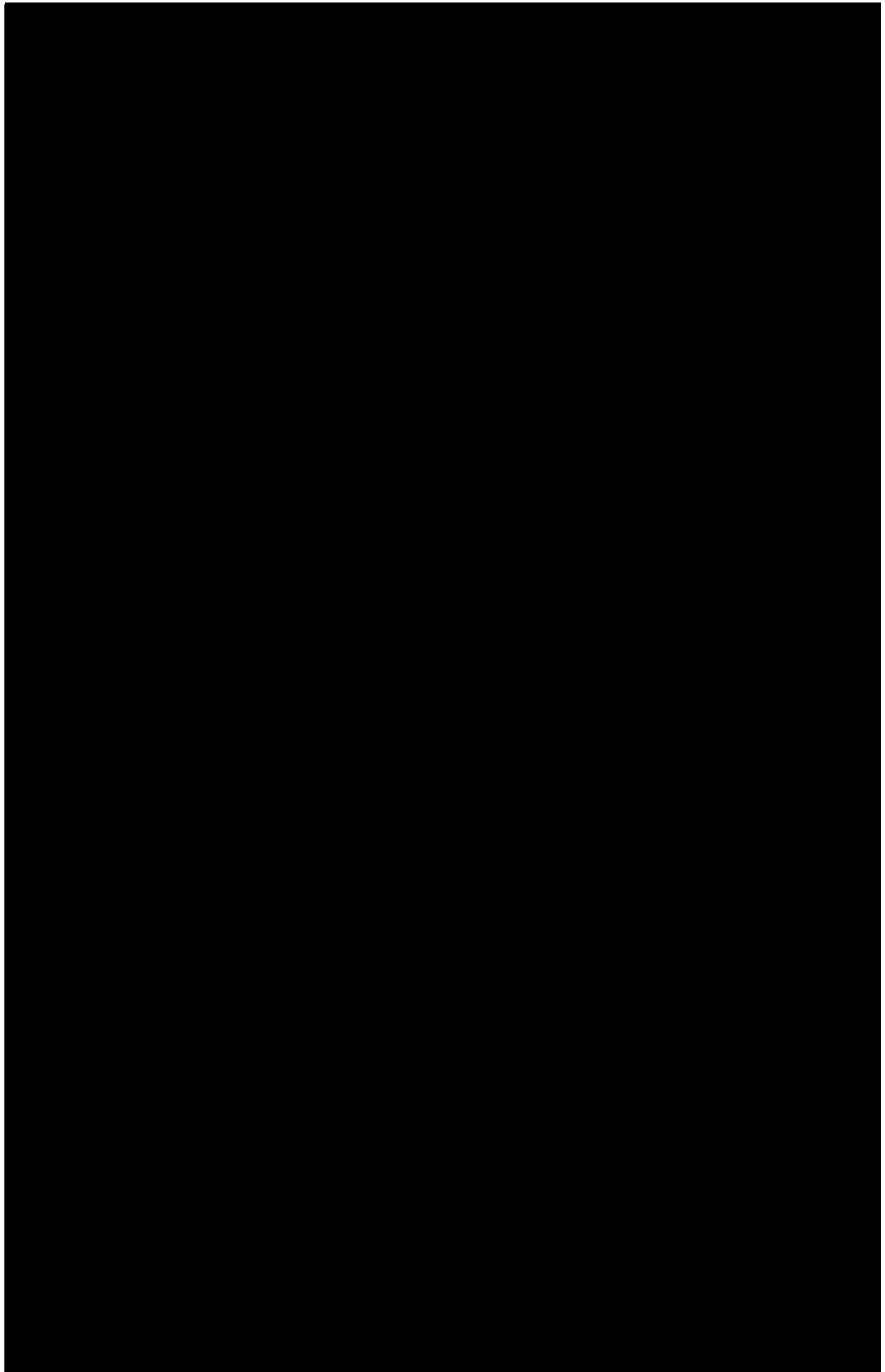
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SERGIO L. RAMIREZ, on behalf :
: of himself and all others :
: similiary situated, :
: Plaintiff, :
: -vs- : No. 3:12cv00632-JSC
: TRANS UNION, LLC, :
: Defendant. :

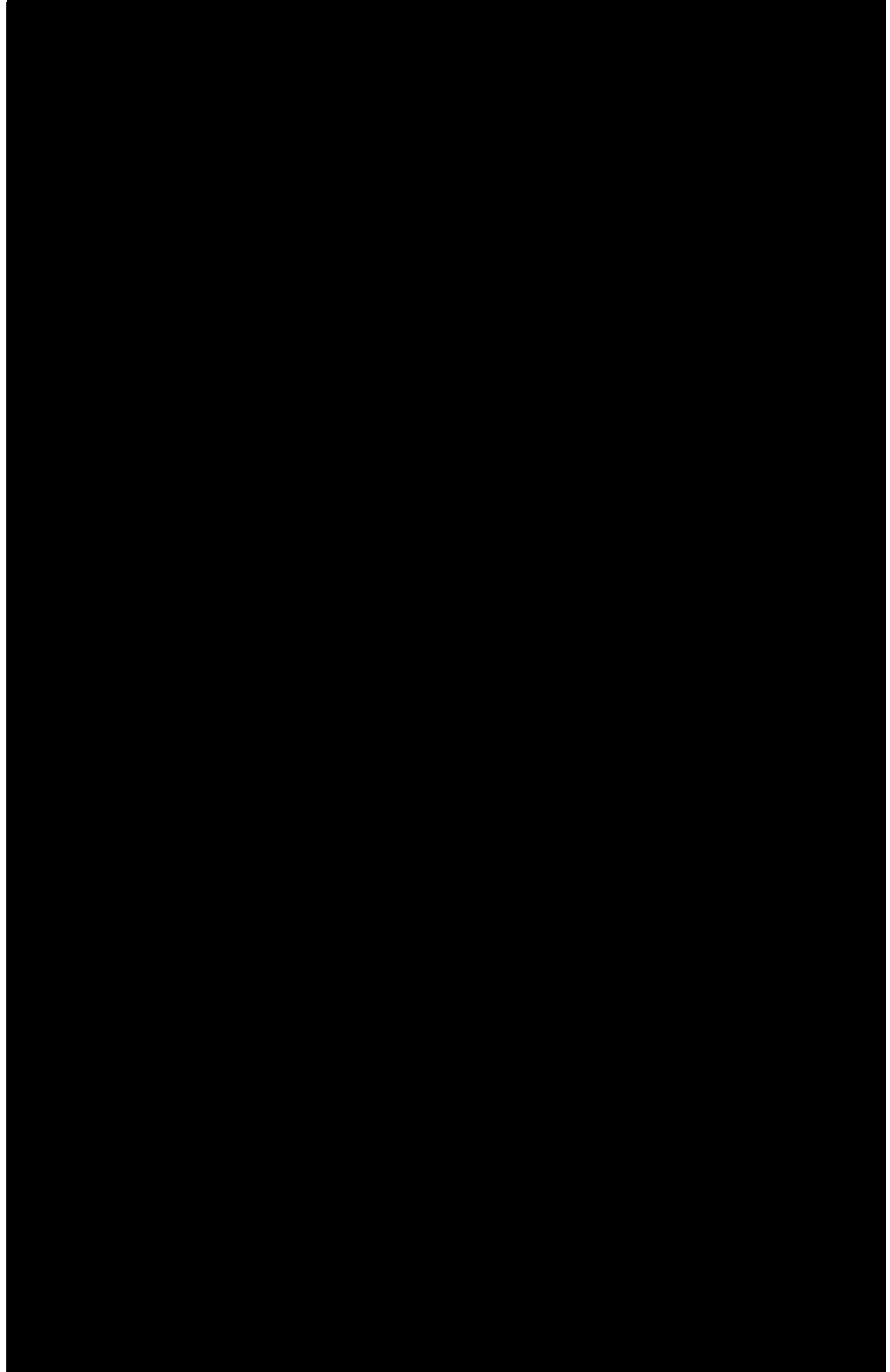
The CONFIDENTIAL videotaped deposition of
TRANS UNION, LLC, ROBERT LYTLER 30(b)(6), called for
examination pursuant to the Rules of Civil
Procedure for the United States District Courts
pertaining to the taking of depositions, taken
before Shelly S. Rubas, a Certified Shorthand
Reporter within and for the County of Cook and
State of Illinois, at 205 North Michigan Avenue,
Chicago, Illinois, on the 13th day of December,
2012, at the hour of 10:36 o'clock a.m.

SUMMIT COURT REPORTING, INC.
Certified Court Reporters and Videographers
1500 Walnut Street, Suite 1610
Philadelphia, Pennsylvania 19102
424 Fleming Pike, Hammonton, New Jersey 080037
(215) 985-2400 * (609) 567-3315 * (800) 447-8648
www.summitreporting.com

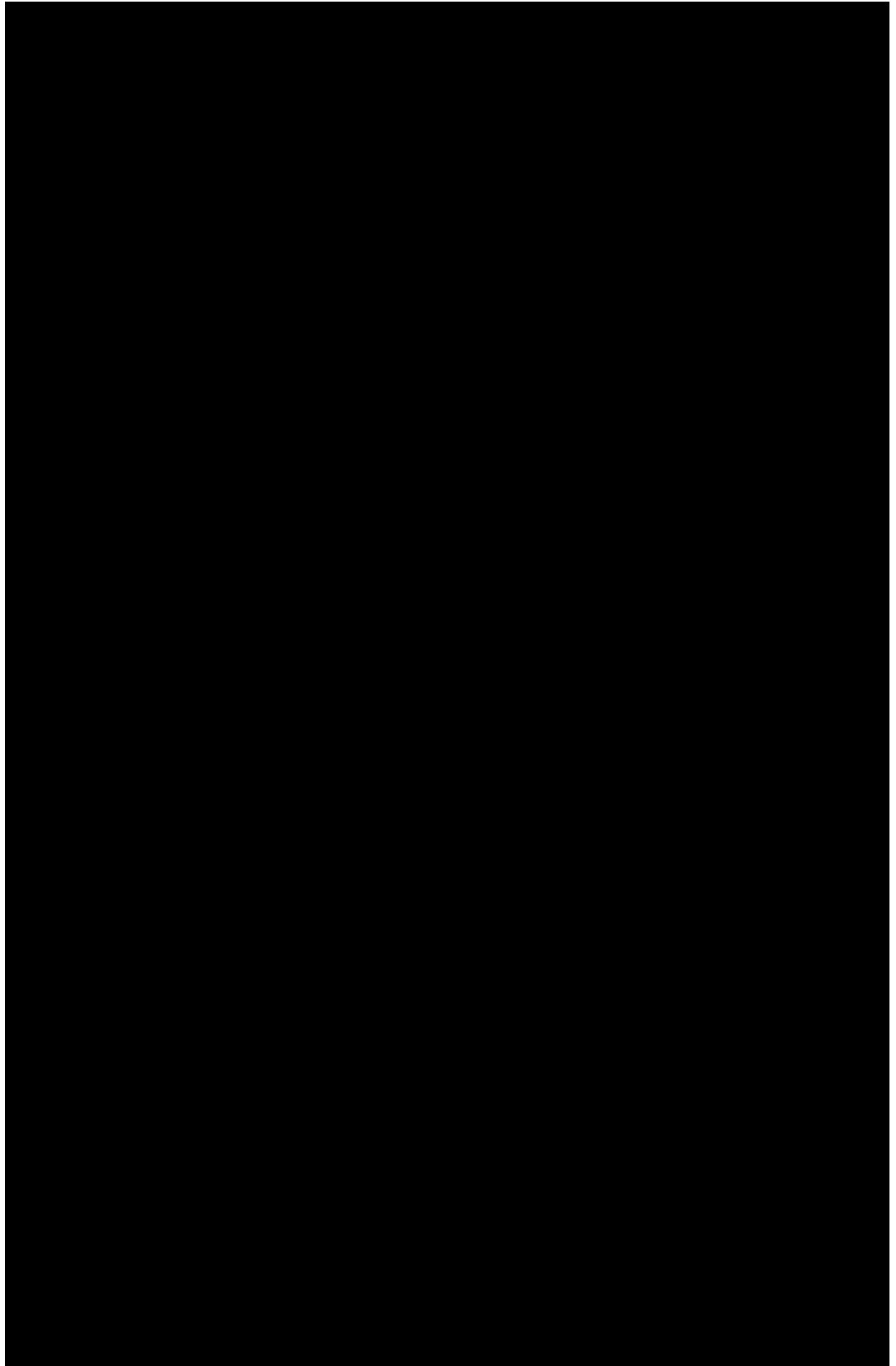
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



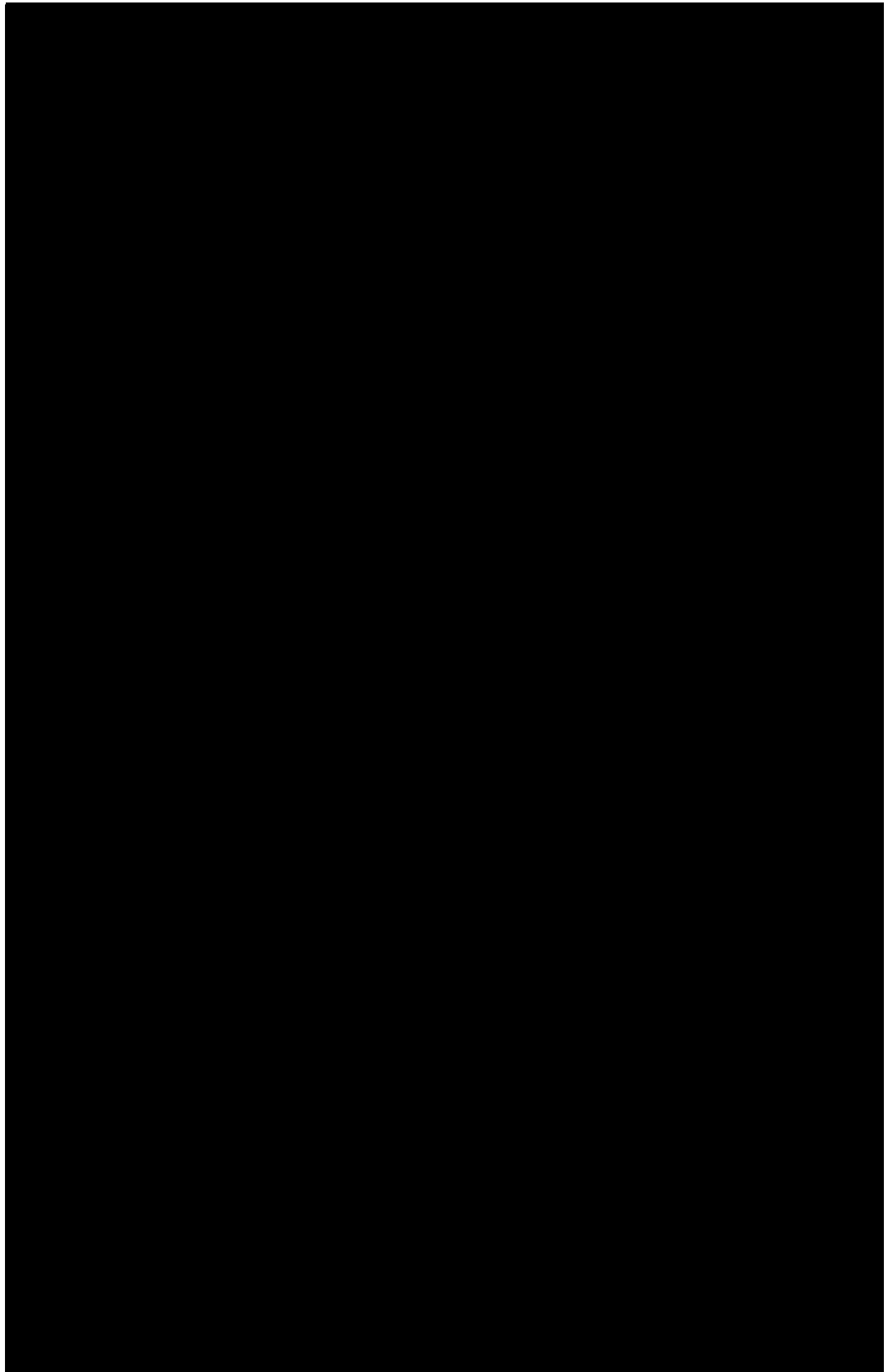
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



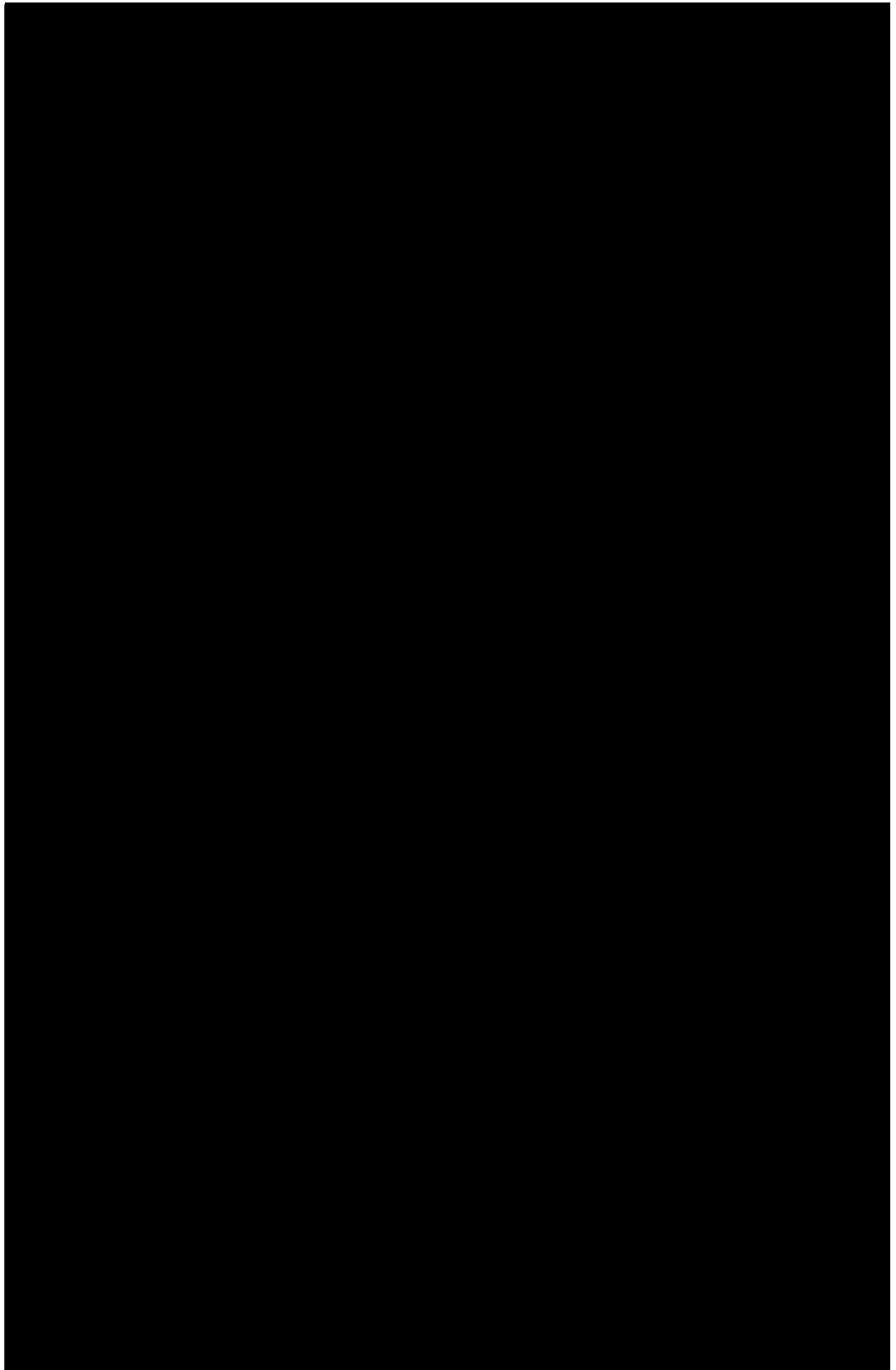
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



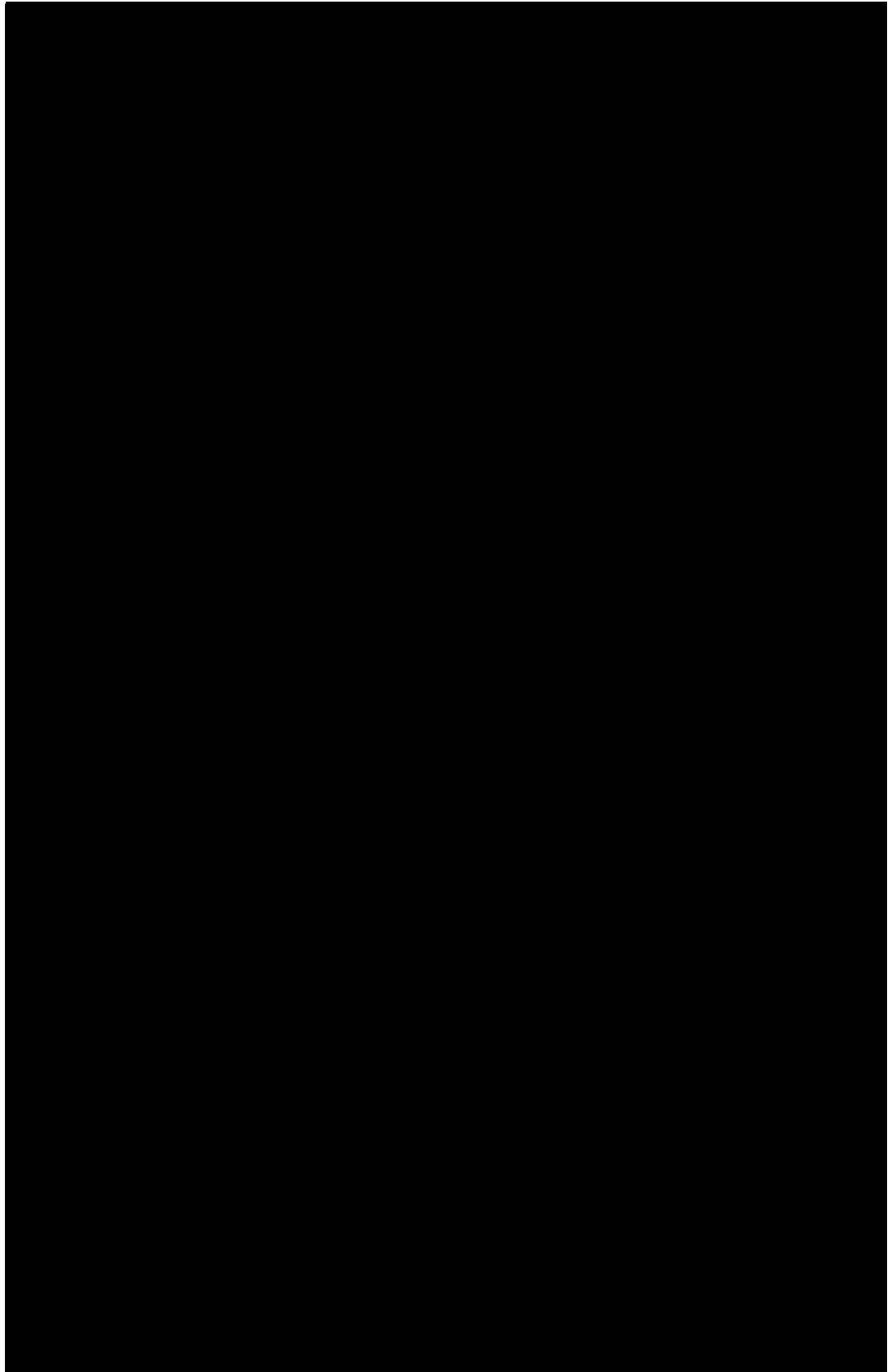
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

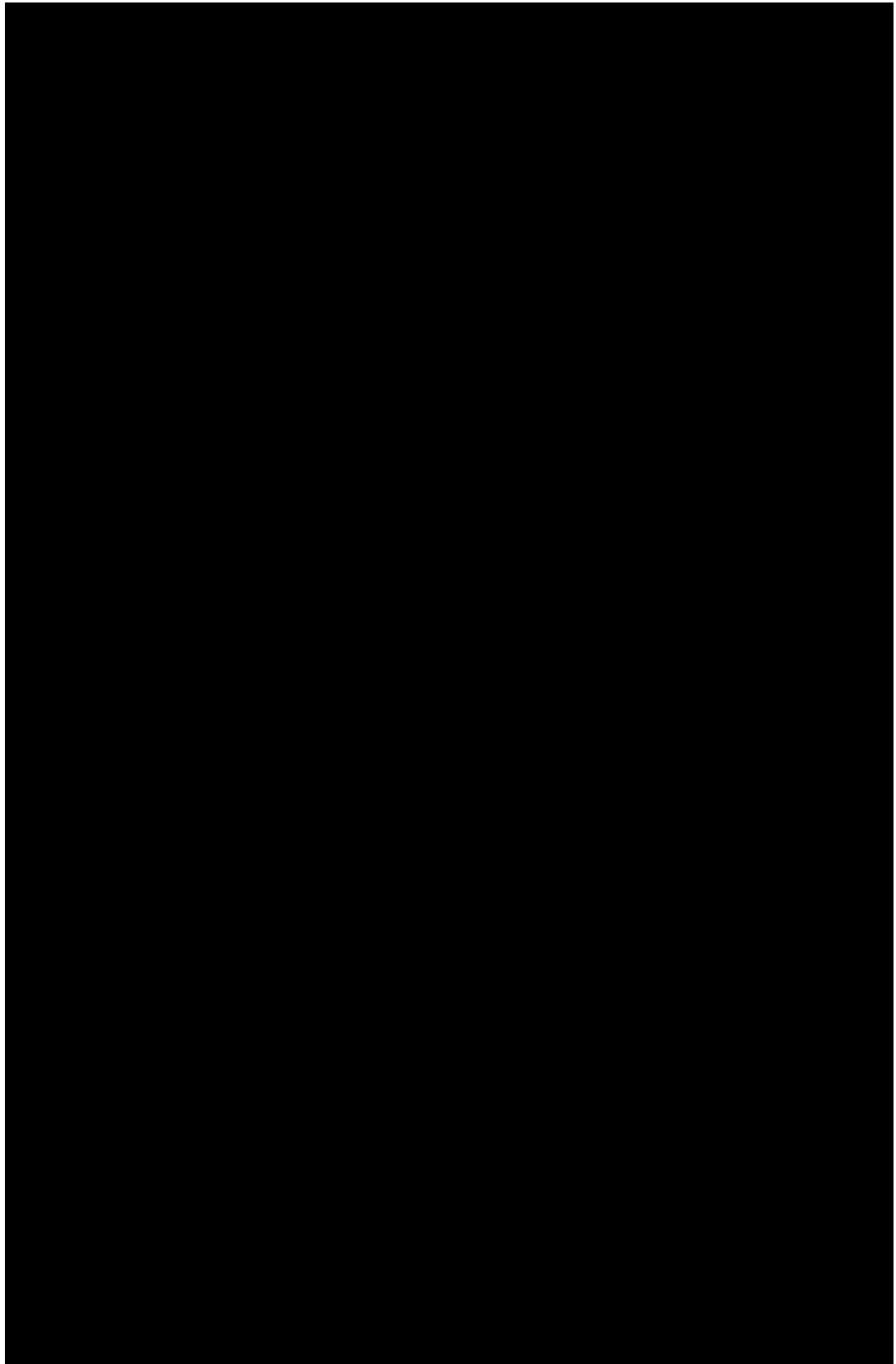


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

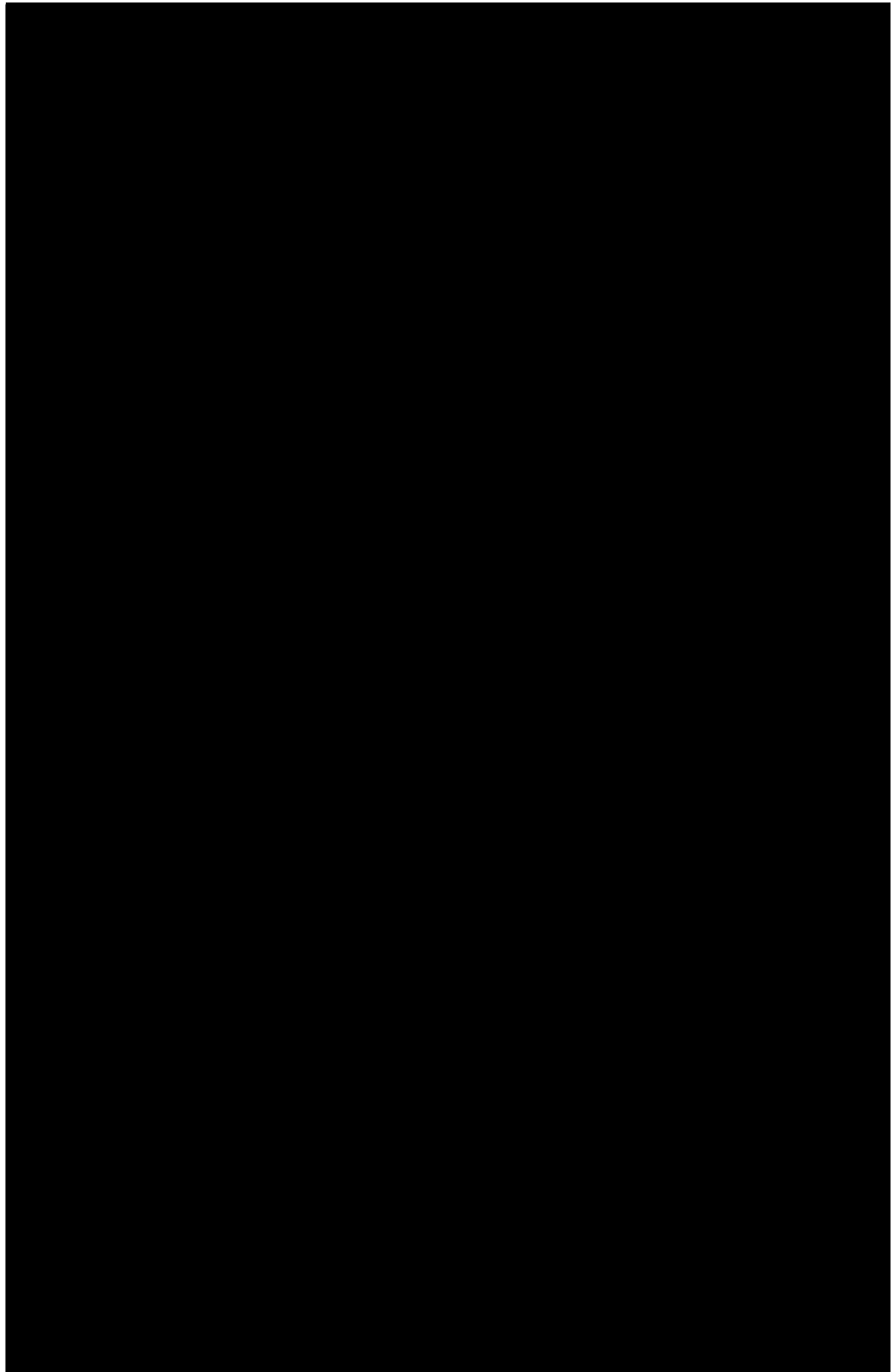


Page 84

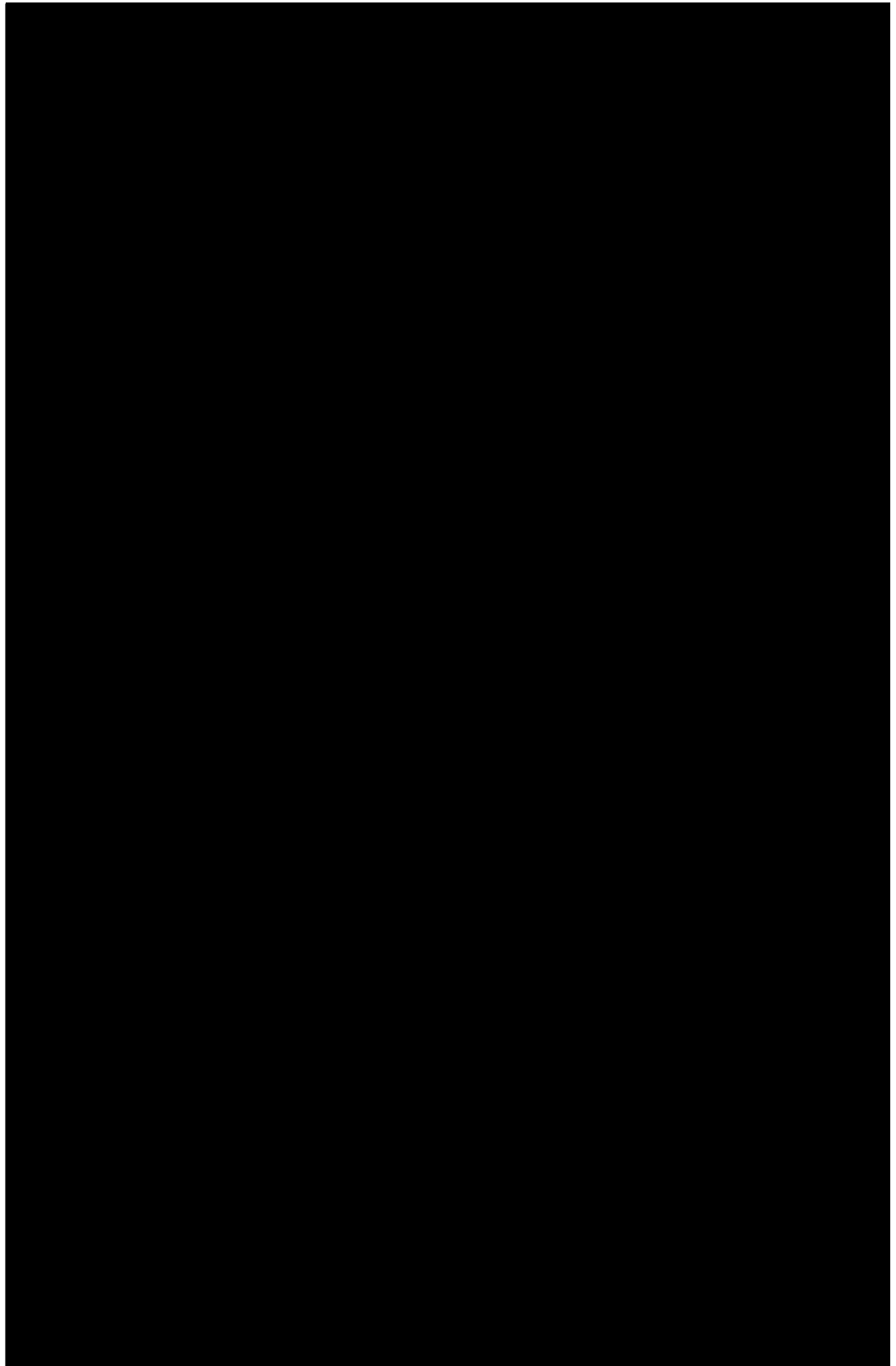
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



Page 97

1 THE WITNESS: I know who we call our sponsors
2 who recently purchased the company.

3 BY MR. SOUMILAS:

4 Q. And who is that?

5 A. Without official names, it would be
6 Goldman Sachs and Advent International.

7 Q. Does Trans Union also sell some product
8 that it calls the OFAC advisor alert?

9 A. I am not in the best position to speak to
10 the product name, but we do sell a product with the
11 name OFAC in it.

12 Q. All right. Have you ever heard of the
13 term OFAC name screen?

14 A. Yes, I have.

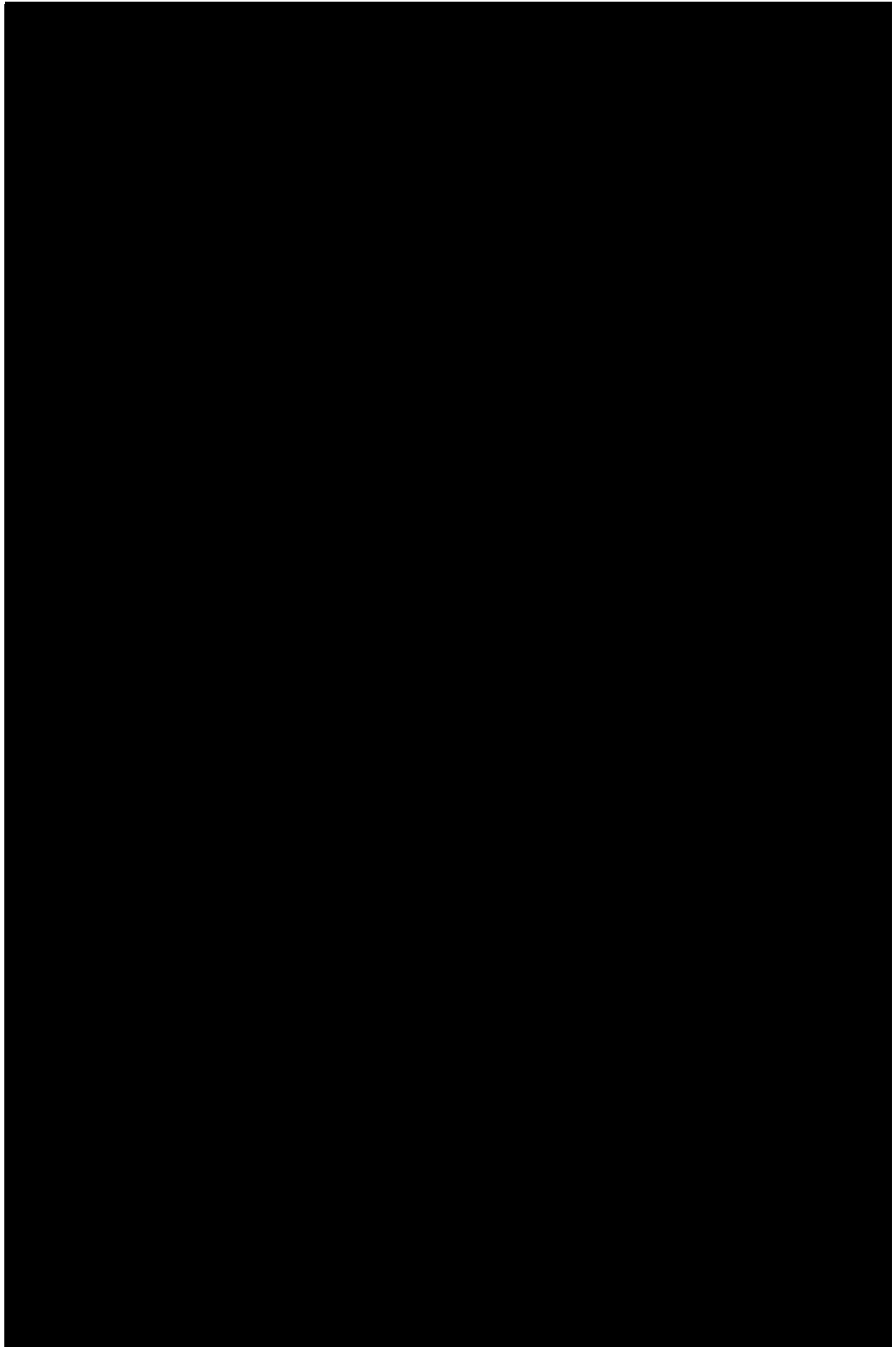
15 Q. What do you understand that to be?

16 A. I understand that to be a product add on
17 to a credit report that presents the data that is a
18 possible match in the OFAC database to the
19 purchaser of that credit report.

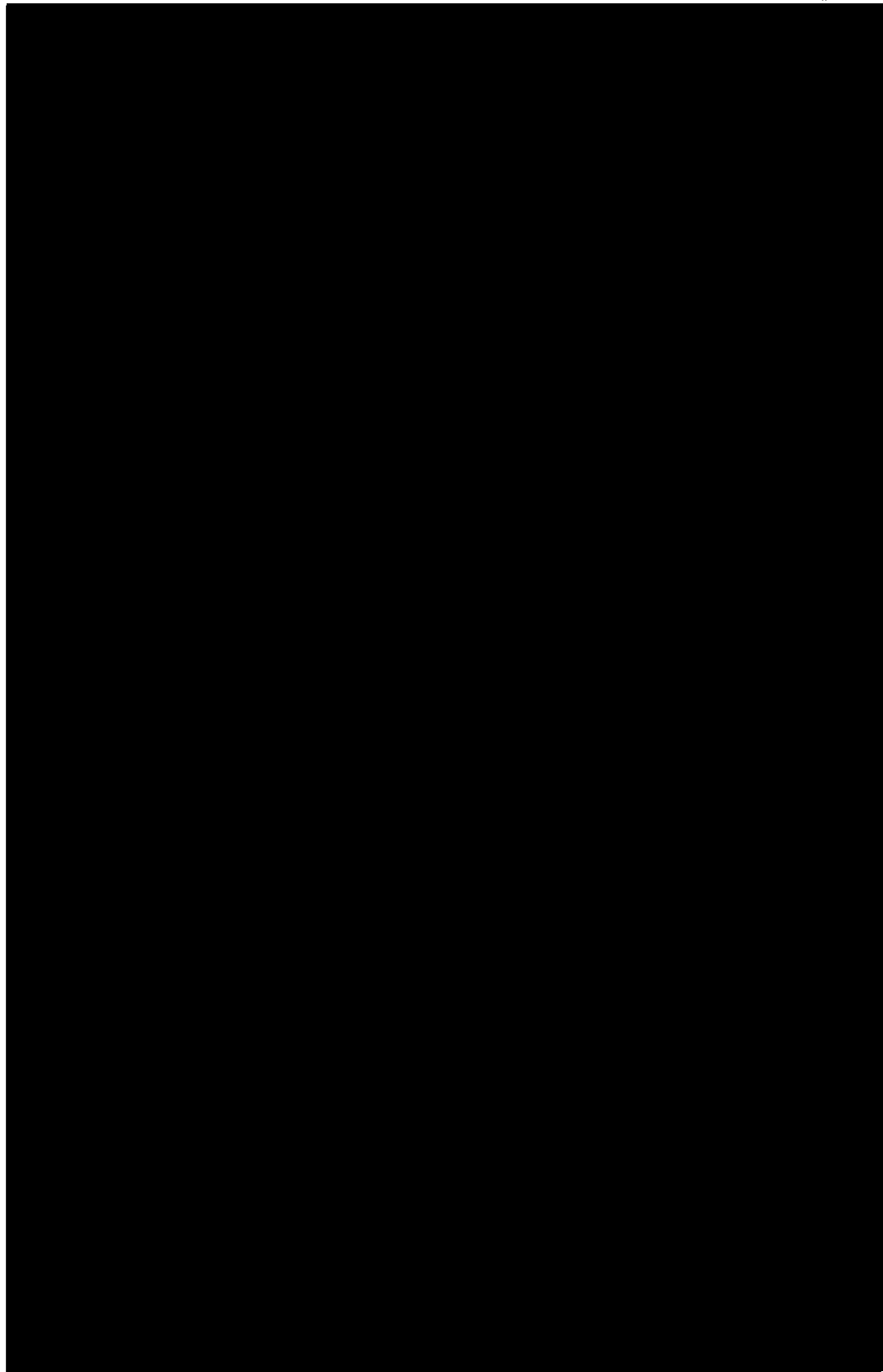
20 Q. So would I be correct in understanding
21 that a creditor such as a bank could purchase a
22 credit report from Trans Union with or without the
23 OFAC add on?

24 A. Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



Page 100

1 THE WITNESS: If you could rephrase the
2 question.

3 BY MR. SOUMILAS:

4 Q. Yes. Just a moment ago, you identified
5 for me on the OFAC product, you weren't exactly
6 sure of the name that Trans Union sells, you said
7 it was as an add on to a credit report.

8 Do you recall that testimony?

9 A. Yes.

10 Q. And what we see here appears to be a
11 credit report that has some traditional credit
12 report information such as account information,
13 correct?

14 A. Yes.

15 Q. And it also has this special messages
16 field, what appears to be in the middle of the
17 first page that says OFAC advisor alert immediately
18 underneath special messages.

19 Do you see that?

20 A. Yes.

21 Q. My question is whether that special
22 messages area with OFAC advisor alert information
23 is the OFAC add on that you just testified about?

24 MR. NEWMAN: Objection, foundation.

1 You can answer.

2 THE WITNESS: The special messages section is
3 not the OFAC advisor alert. The special messages
4 section contains special messages of which OFAC
5 advisor alert appears to be one.

6 BY MR. SOUMILAS:

7 Q. There could be different types of special
8 messages?

9 A. Yes.

10 Q. And what other products could be included
11 in the special messages besides the OFAC alert
12 -- I'm sorry -- the OFAC advisor alert?

13 A. I'm not aware of all of the products that
14 can be included in the special messages, but there
15 are additional products or information that can
16 come in that section.

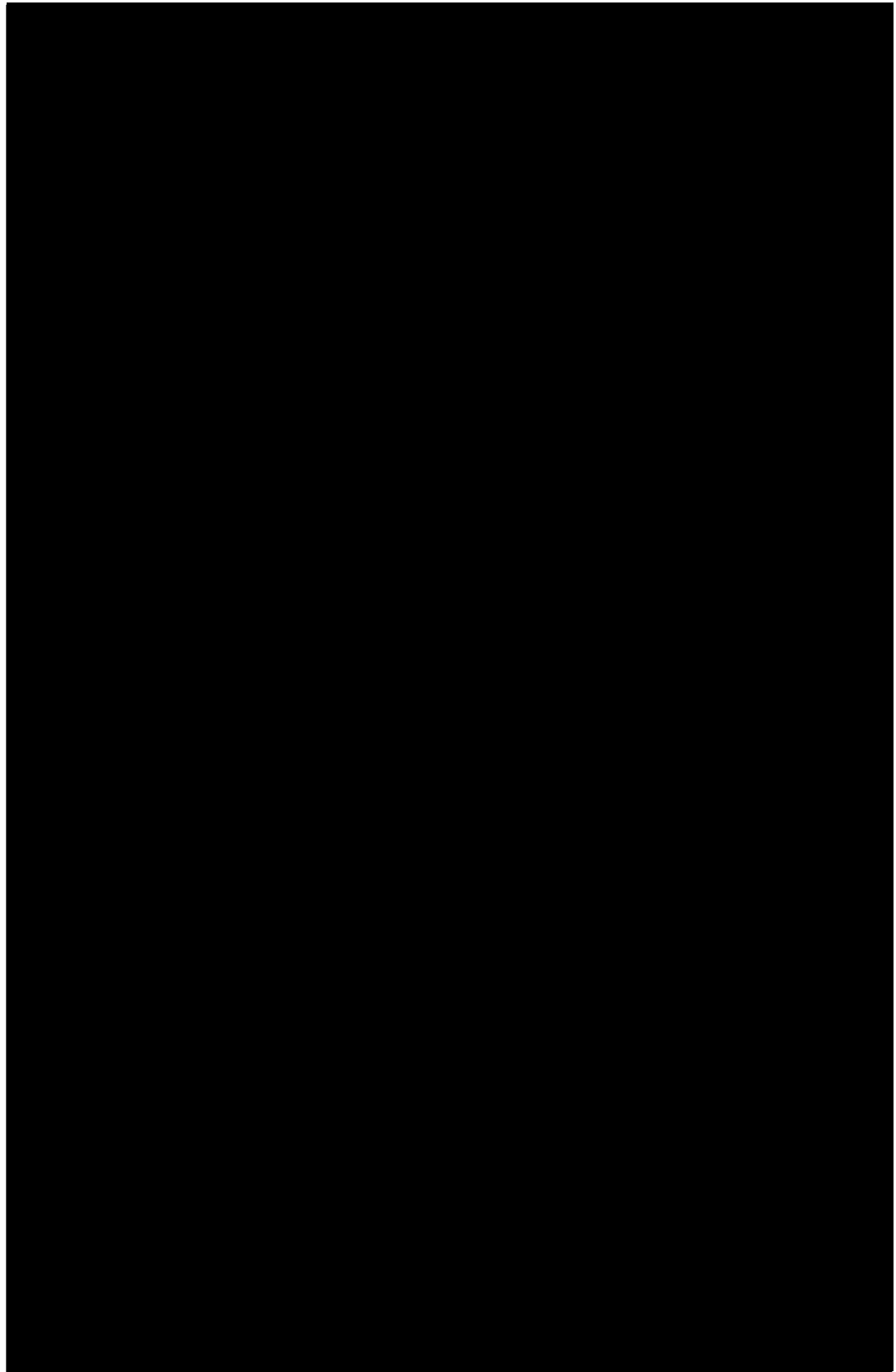
17 Q. And just to be precise, when you testified
18 previously about an OFAC product add on, were you
19 talking about the type of product that we see here
20 in Lytle 3 that could be included in the special
21 messages field?

22 MR. NEWMAN: Objection, foundation.

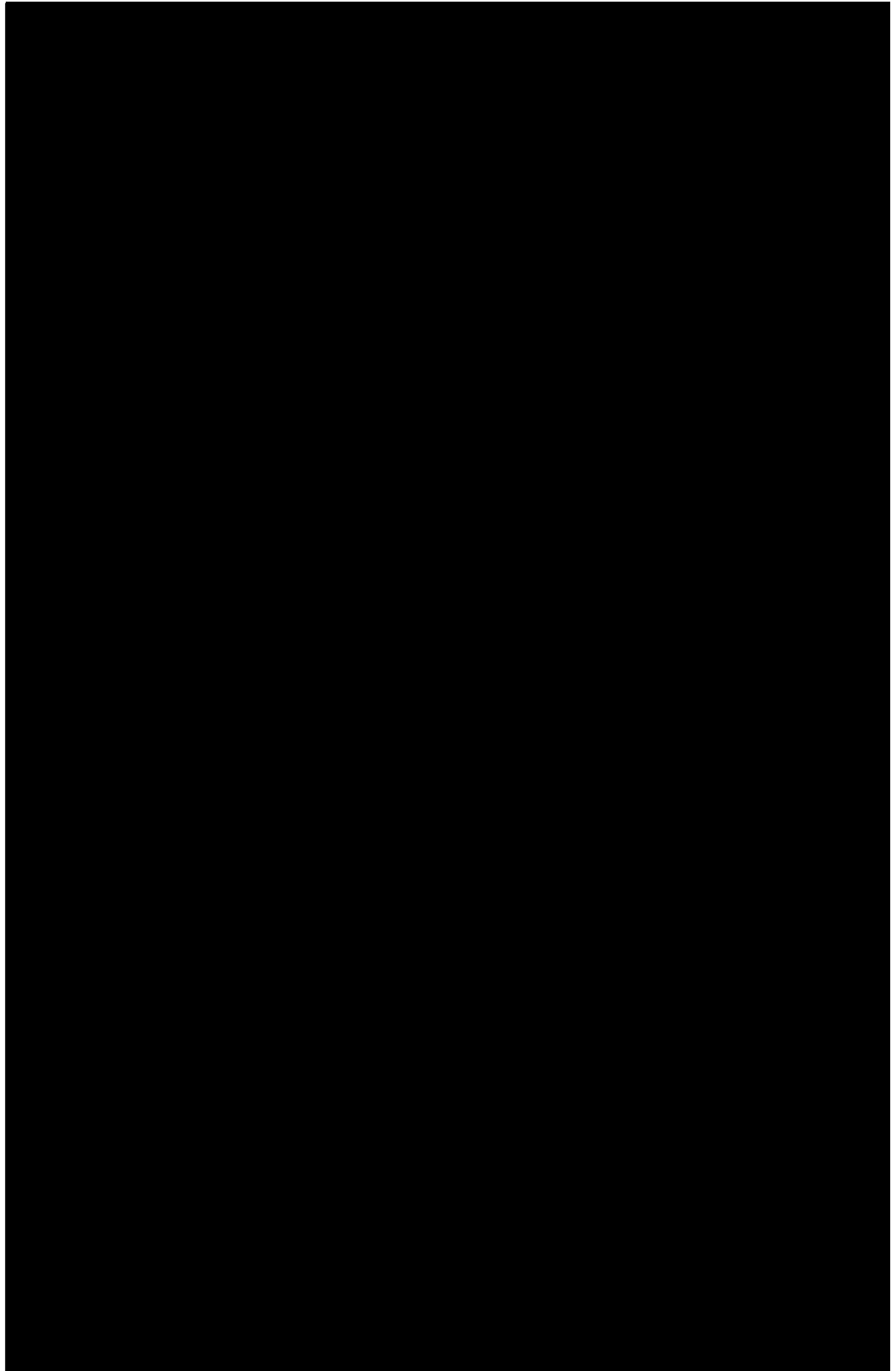
23 Go ahead.

24 THE WITNESS: I'm not qualified to say exactly

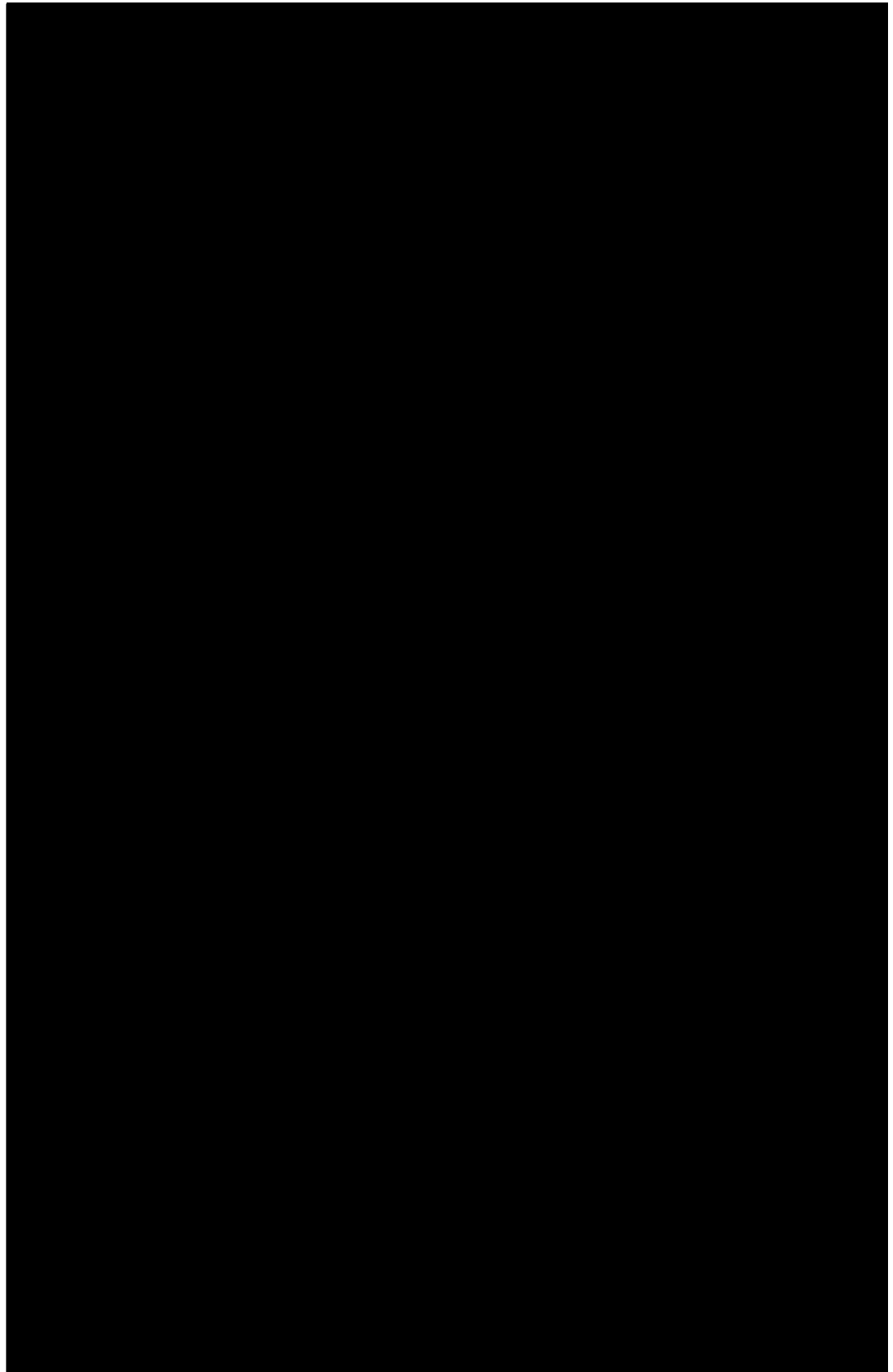
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



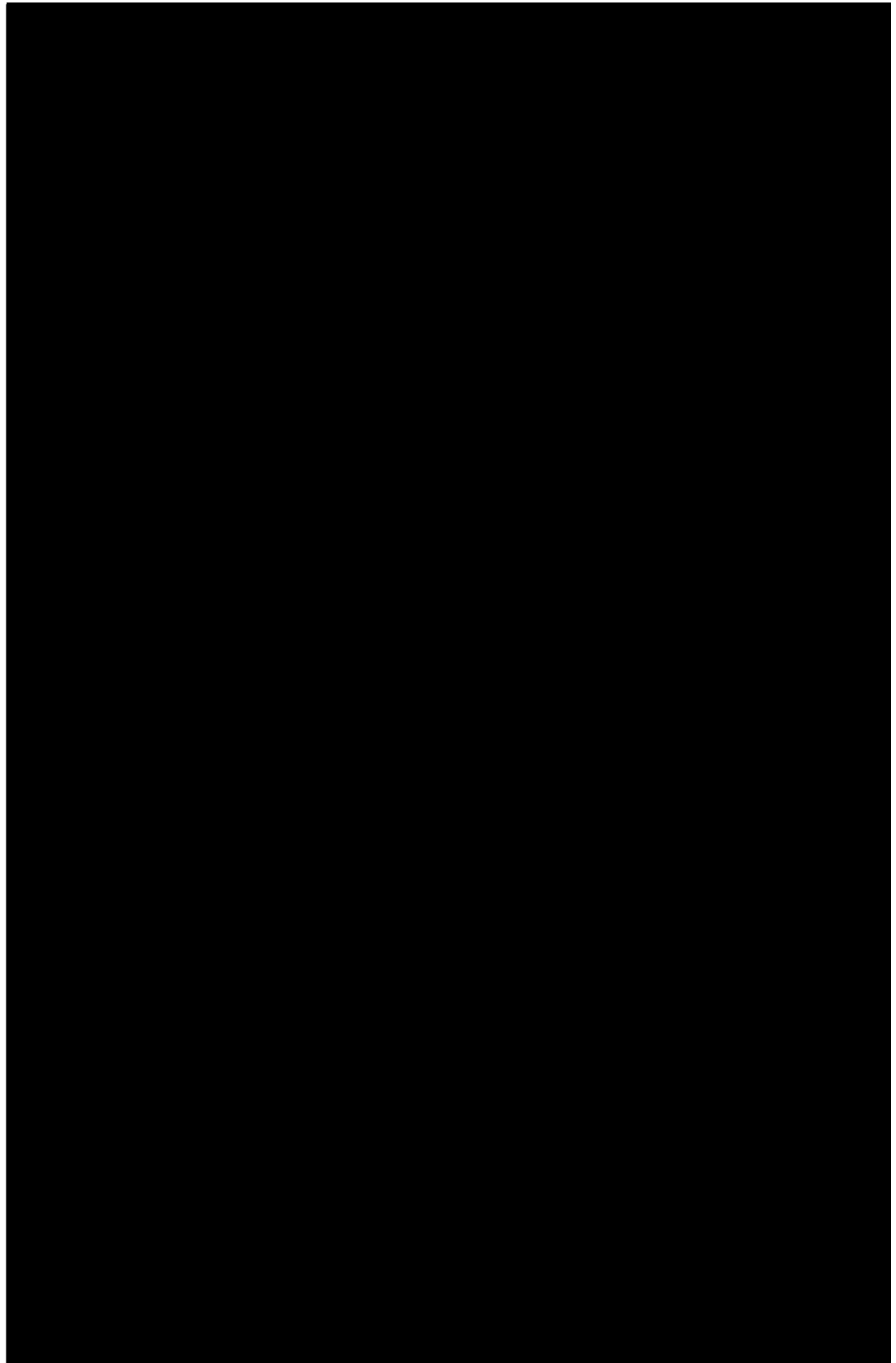
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

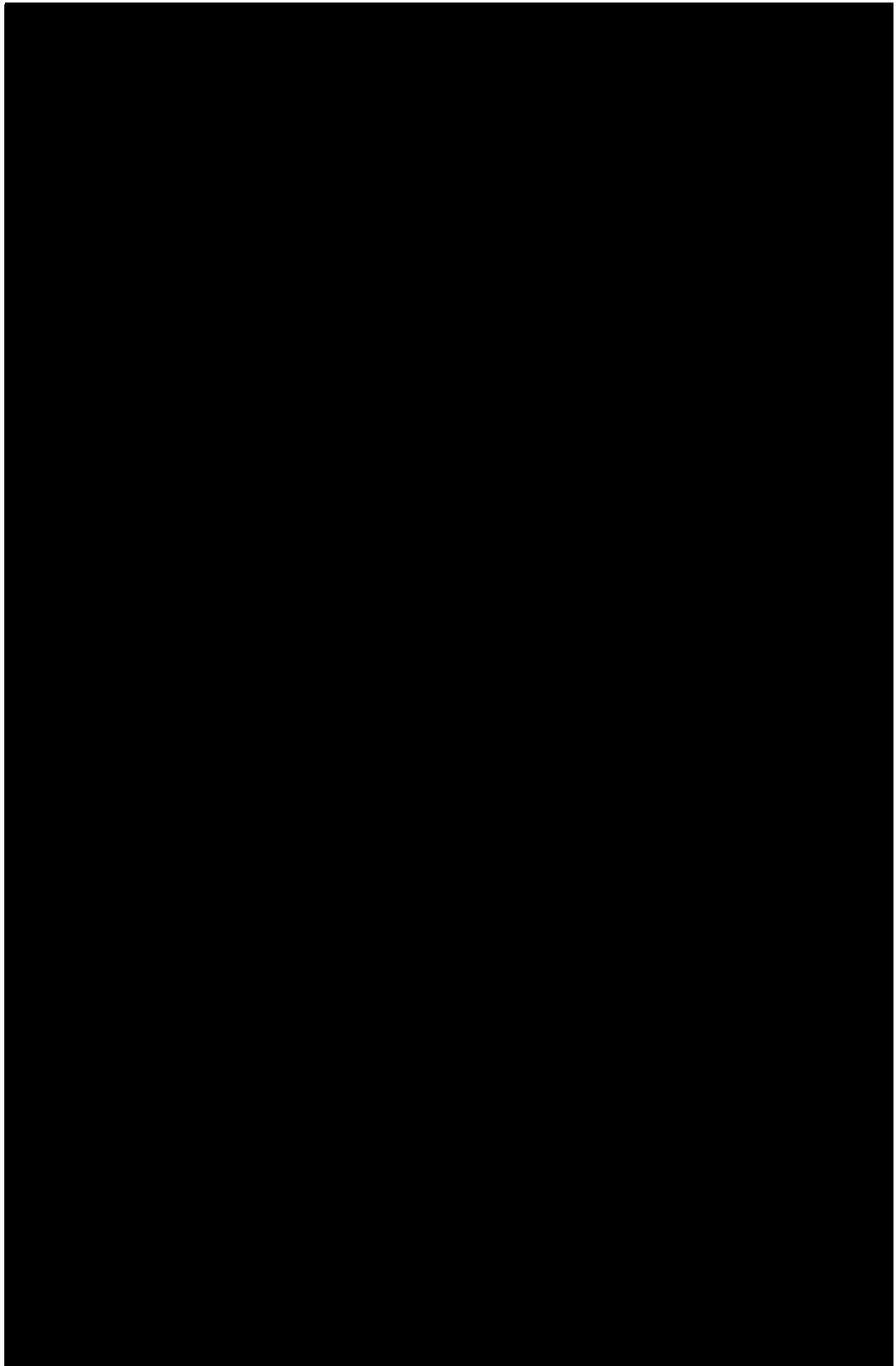


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

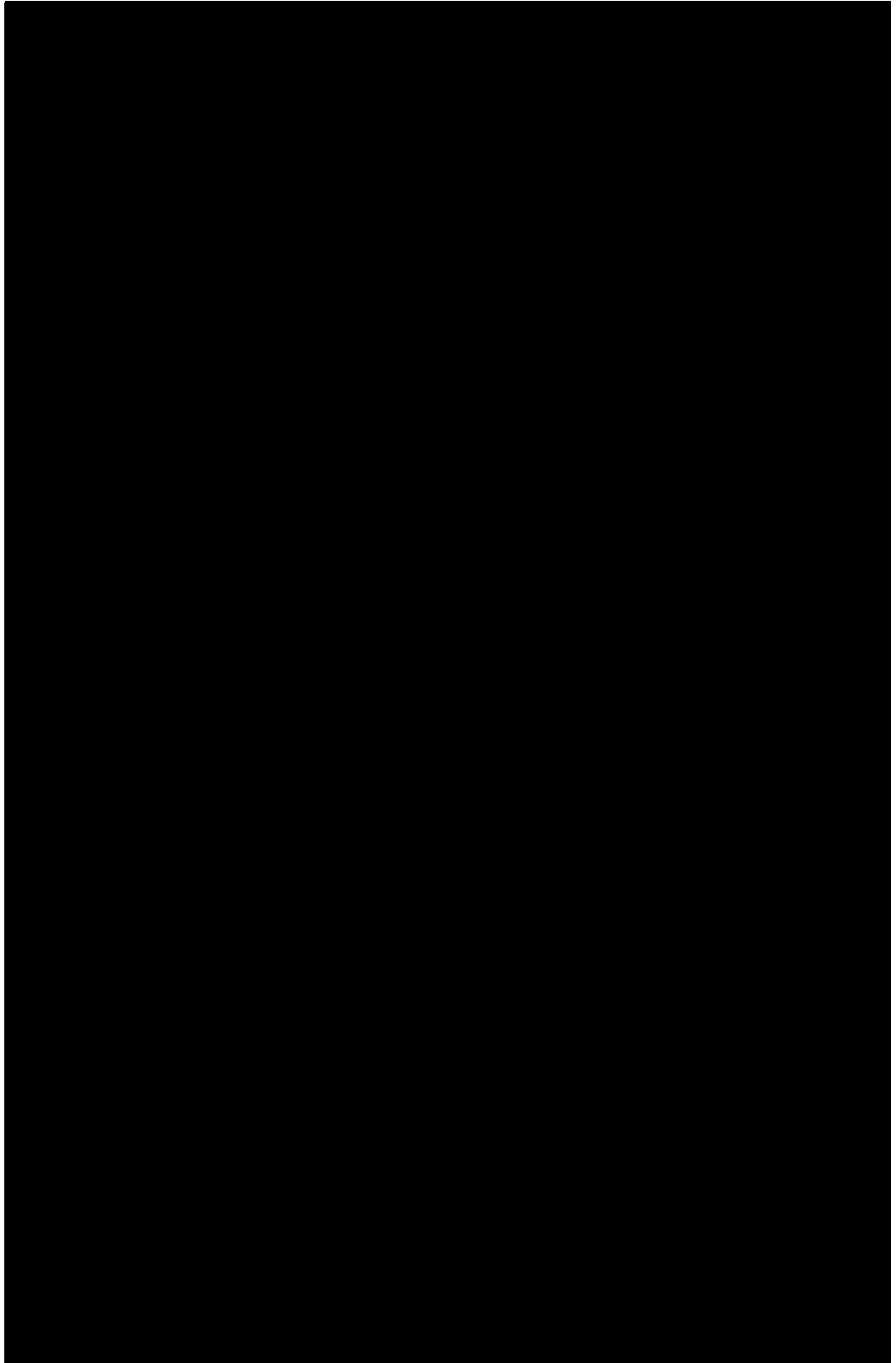


Page 141

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



Page 202

1 A. Only in development and testing of billing
2 systems.

3 Q. Would you know how to read this document
4 based on that experience?

5 A. Not with complete accuracy.

6 Q. Would you be able to tell whether this
7 document documents an invoice for sale of
8 information on February 27th, 2011?

9 A. I could make an educated guess.

10 Q. And what would that be?

11 A. That these are inquiries retrieved for a
12 consumer on such a date.

13 Q. Would your educated guess further provide
14 that it would be the consumer listed on this
15 document, Sergio Ramirez of 4070 Bolina Terrace, it
16 looks like, Fremont, California?

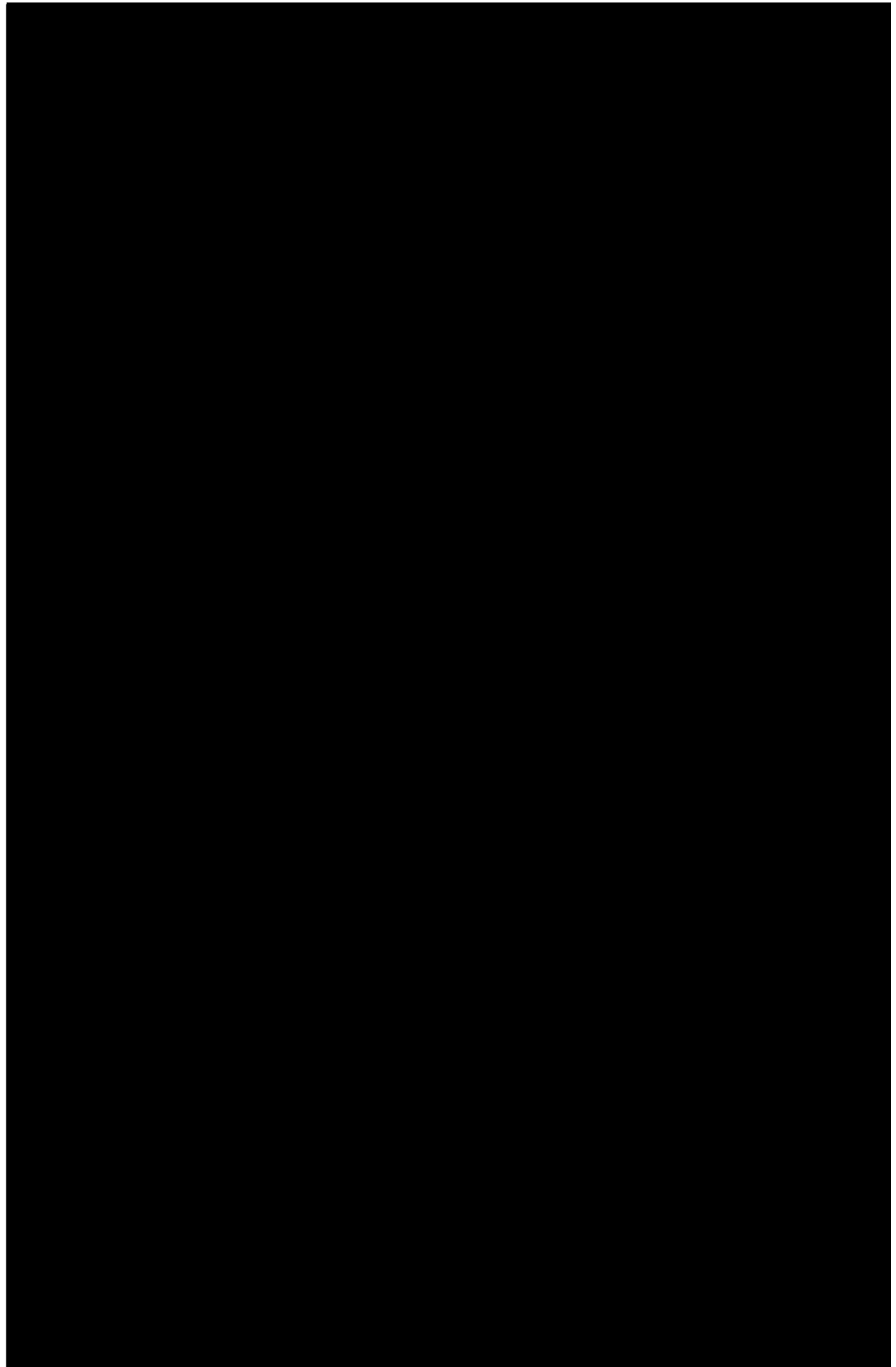
17 A. I would not be able to accurately
18 interpret the address because I am not completely
19 aware of this format.

20 Q. Do you know what the unit price
21 information is on the last column?

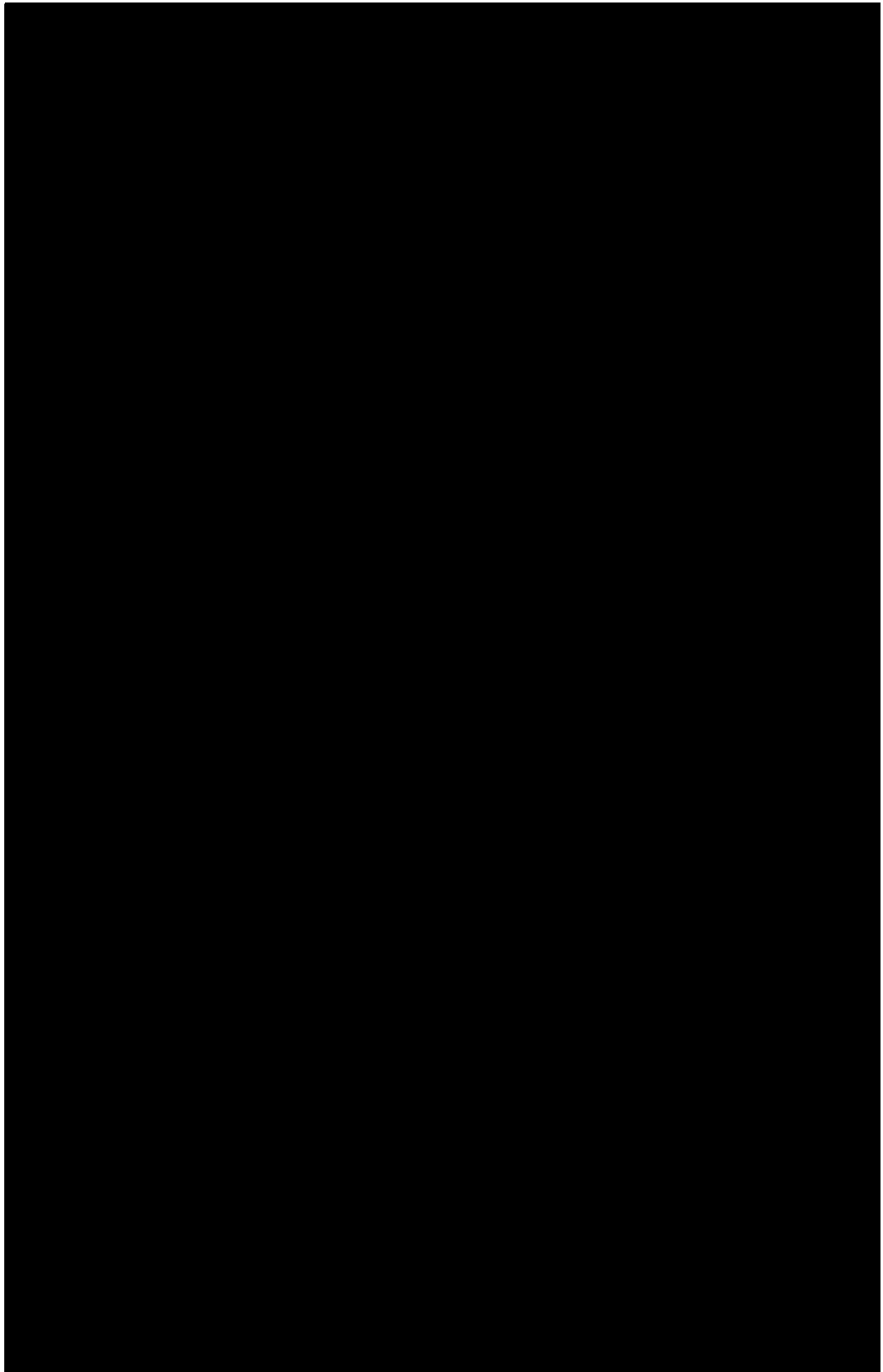
22 A. I do not.

23 Q. Do you have any evidence to suggest that
24 Trans Union used some different process than the

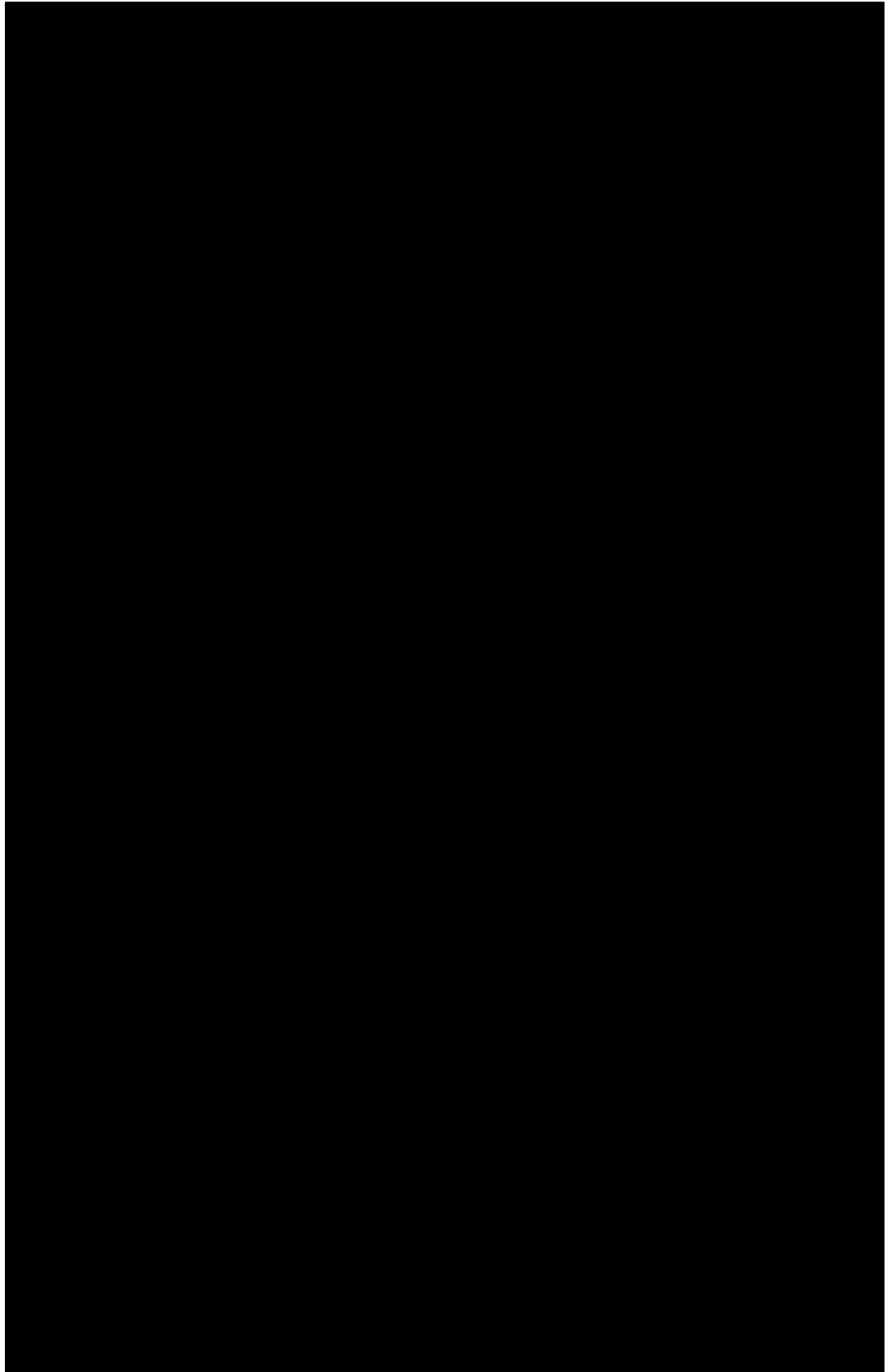
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1 BY MR. SOUMILAS:

2 Q. Is it true that nobody has brought to your
3 attention that as a result of this product being
4 sold by Trans Union to one of its customers, any
5 customer has ever used it to cause the apprehension
6 or arrest of a person on the OFAC list?

7 MR. NEWMAN: Objection, foundation.

8 THE WITNESS: Again, in preparing for this, I
9 did not review any information related to that, no.

10 BY MR. SOUMILAS:

11 Q. Did you review any information as to
12 whether the product that Trans Union has been
13 selling for approximately ten years is actually
14 effective in identifying persons actually listed as
15 terrorists, money launderers, or drug traffickers
16 on the OFAC list?

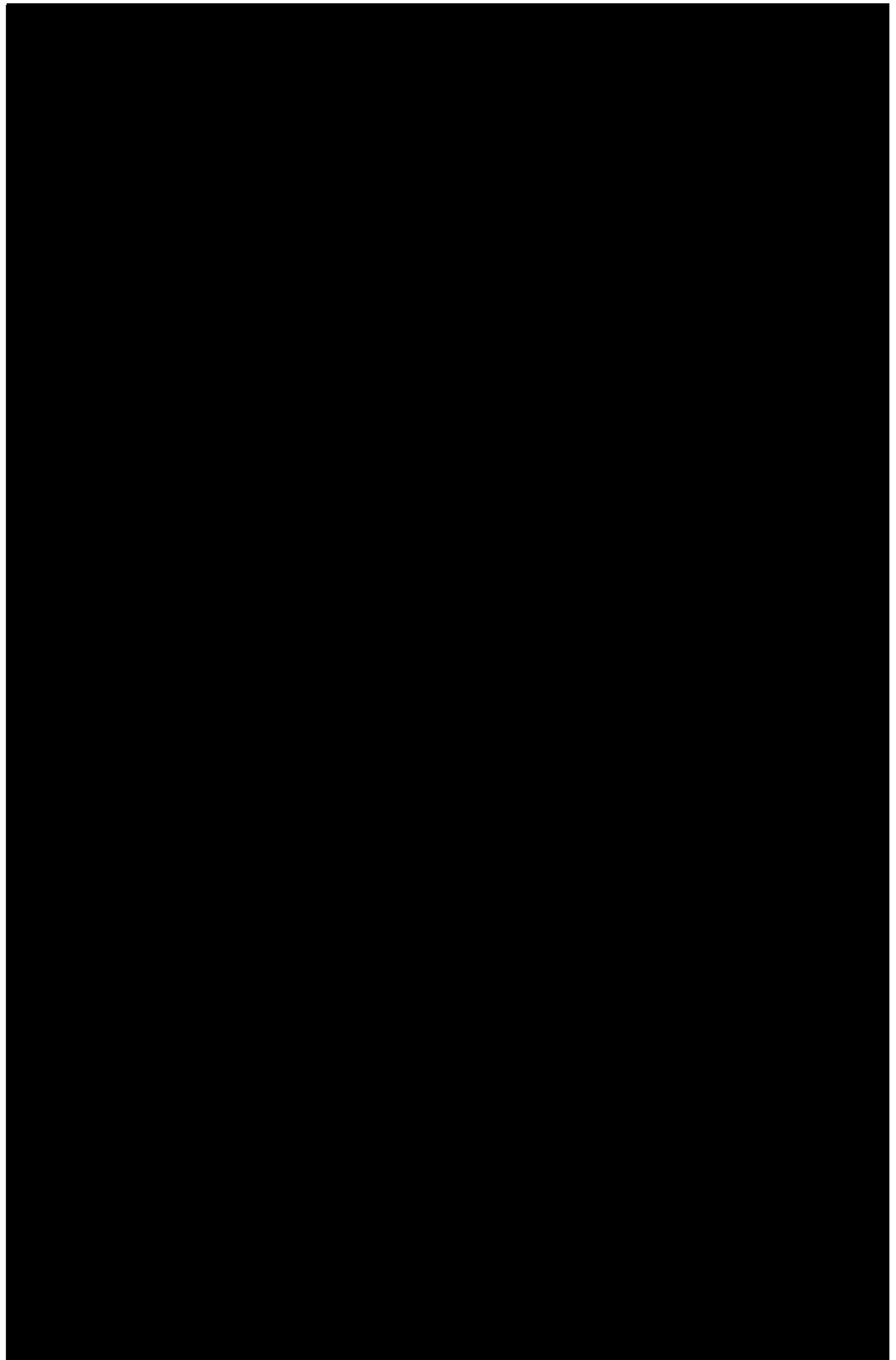
17 MR. NEWMAN: Objection, argumentative,
18 foundation, outside the scope. The witness isn't
19 designated on that topic.

20 THE WITNESS: I'm not aware.

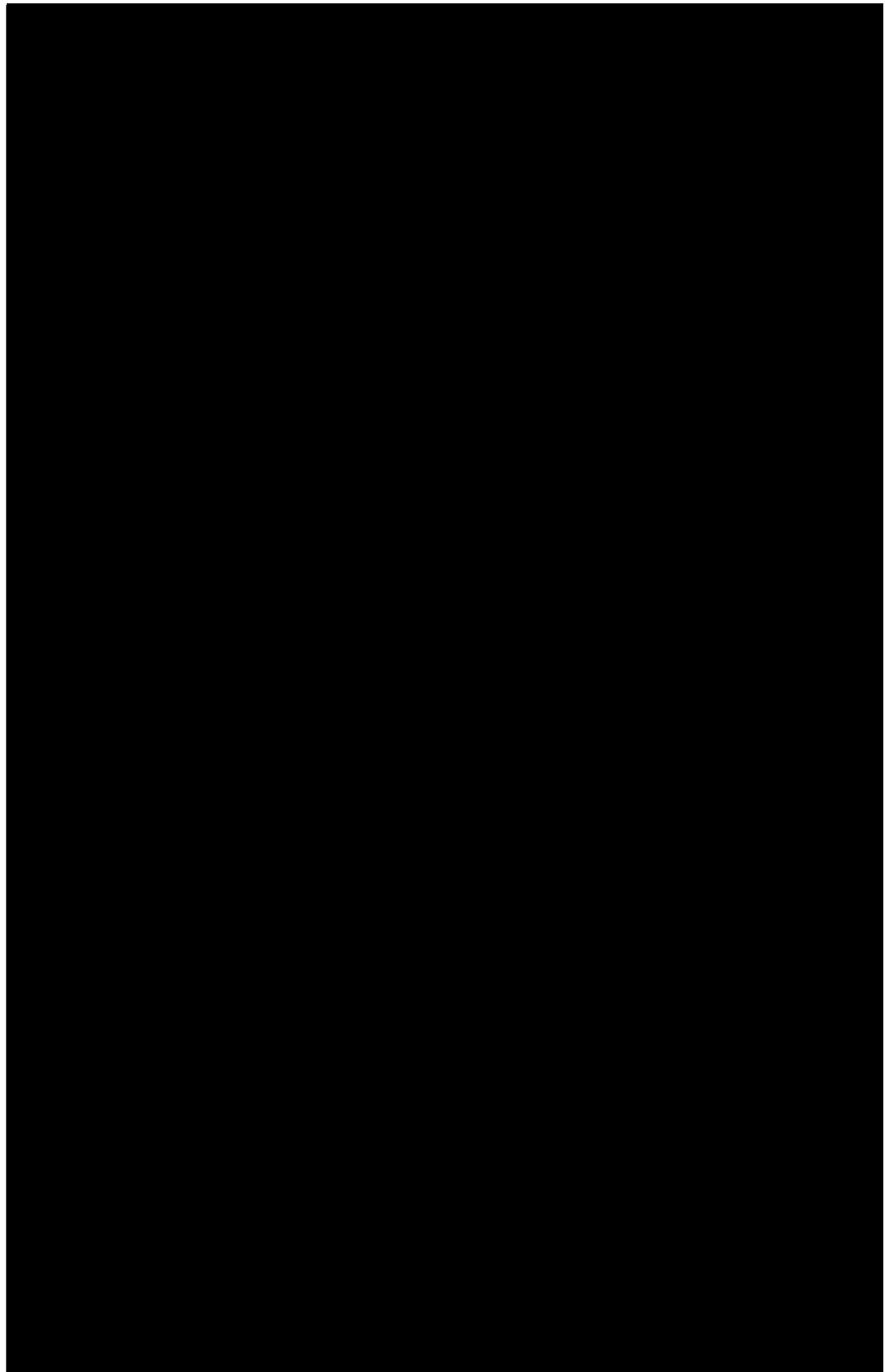
21 BY MR. SOUMILAS:

22 Q. Are you aware that Trans Union has
23 received in the last two years approximately
24 500 disputes from persons claiming that Trans Union

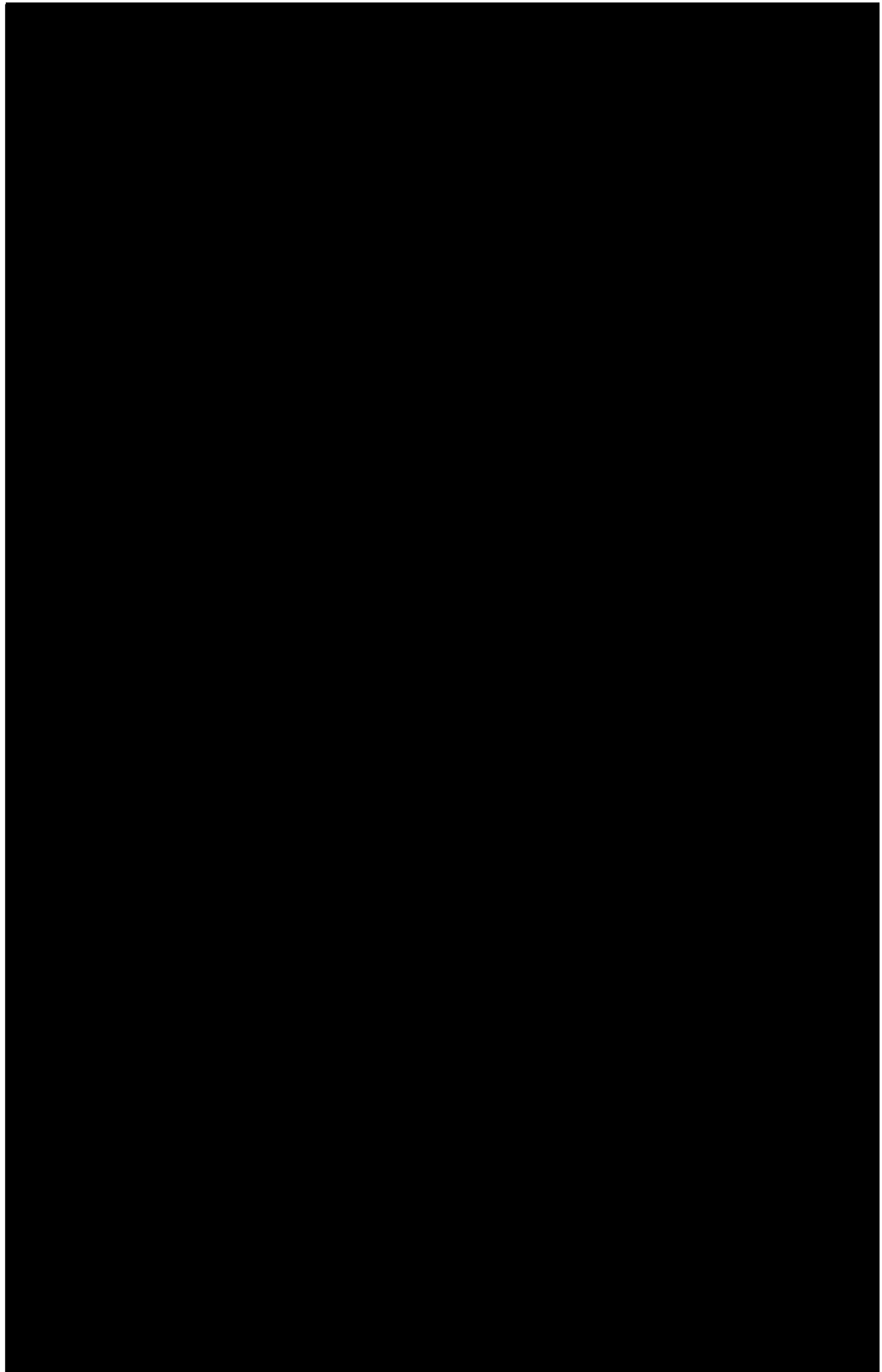
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



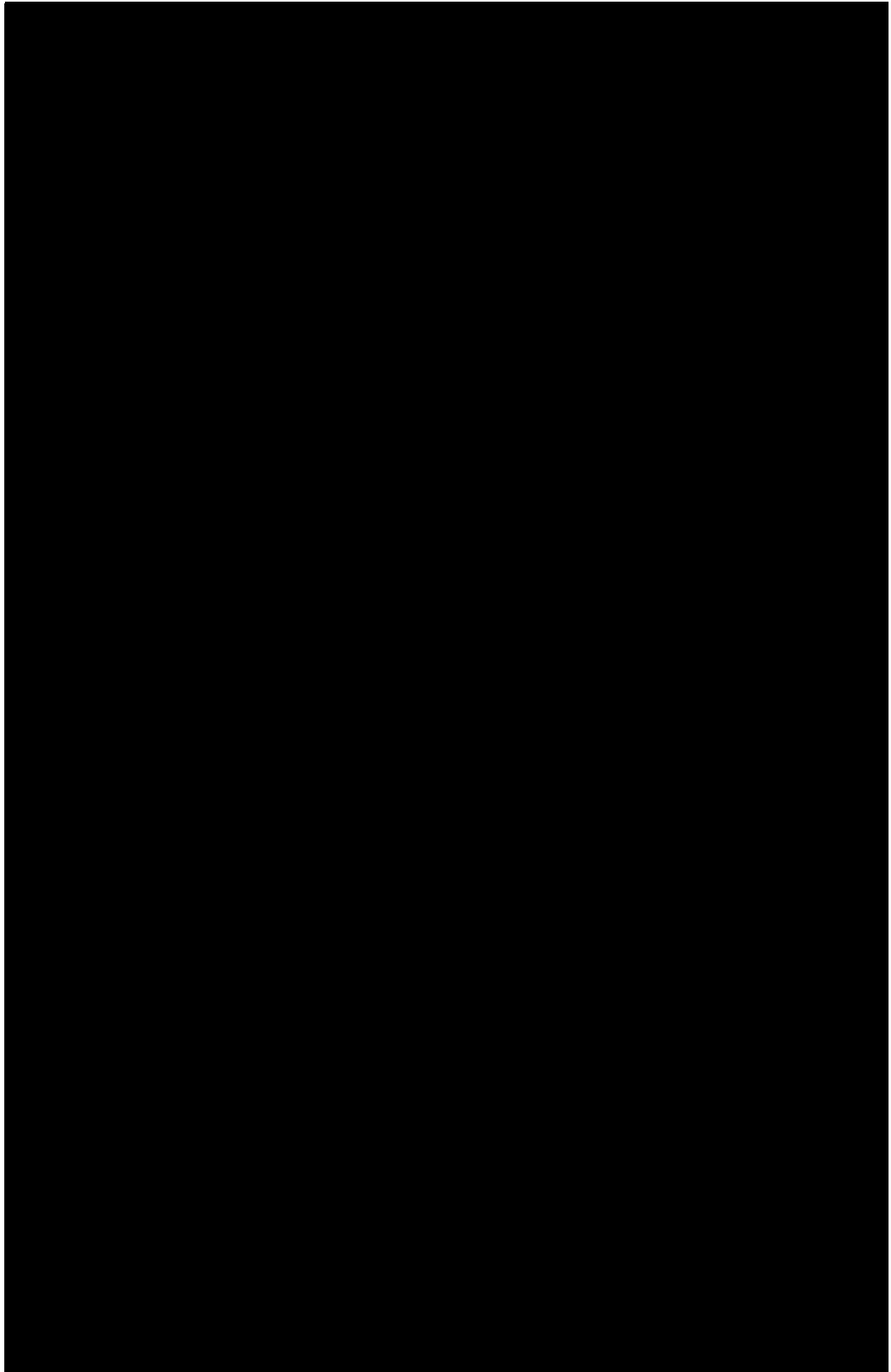
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



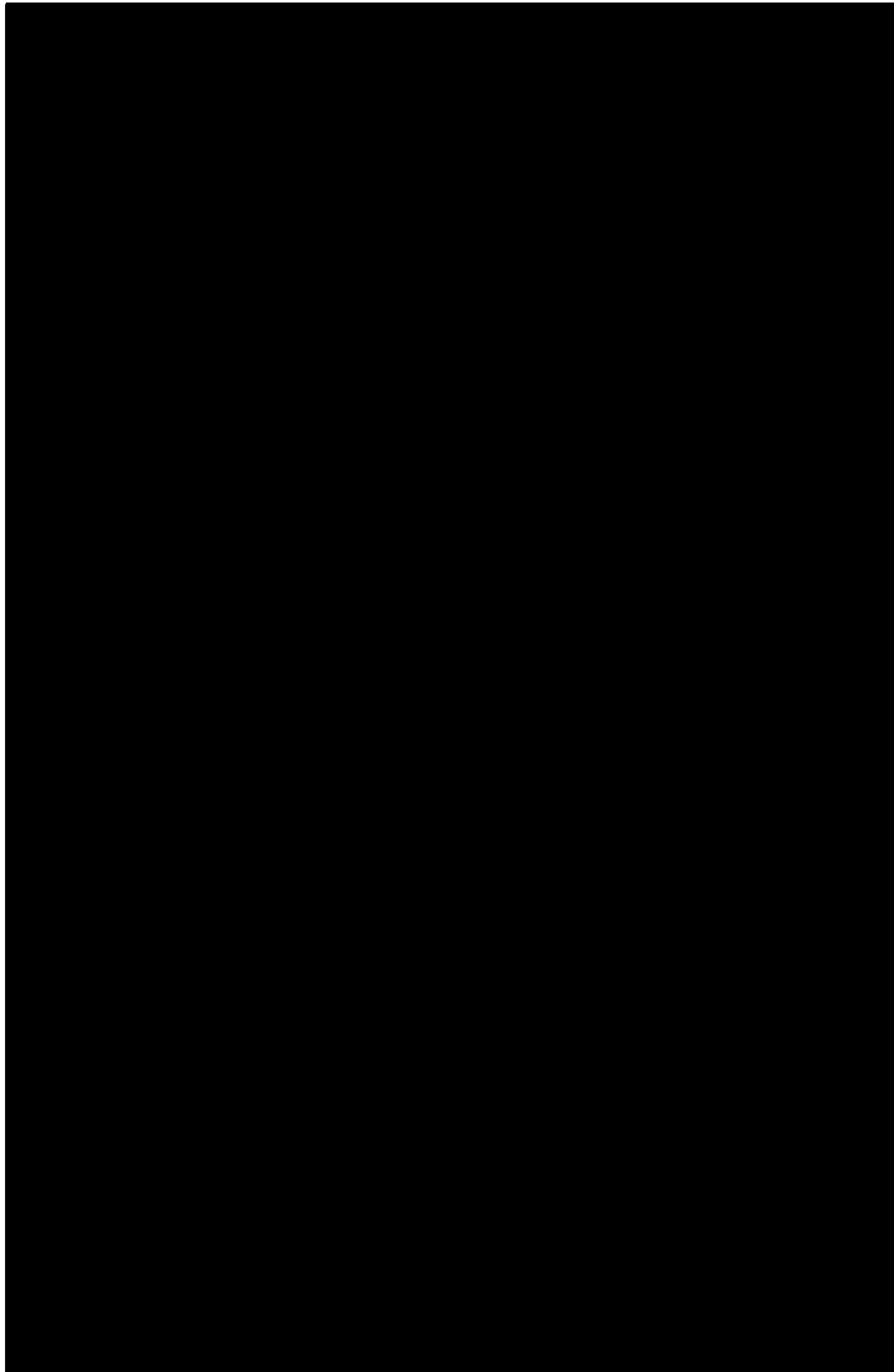
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



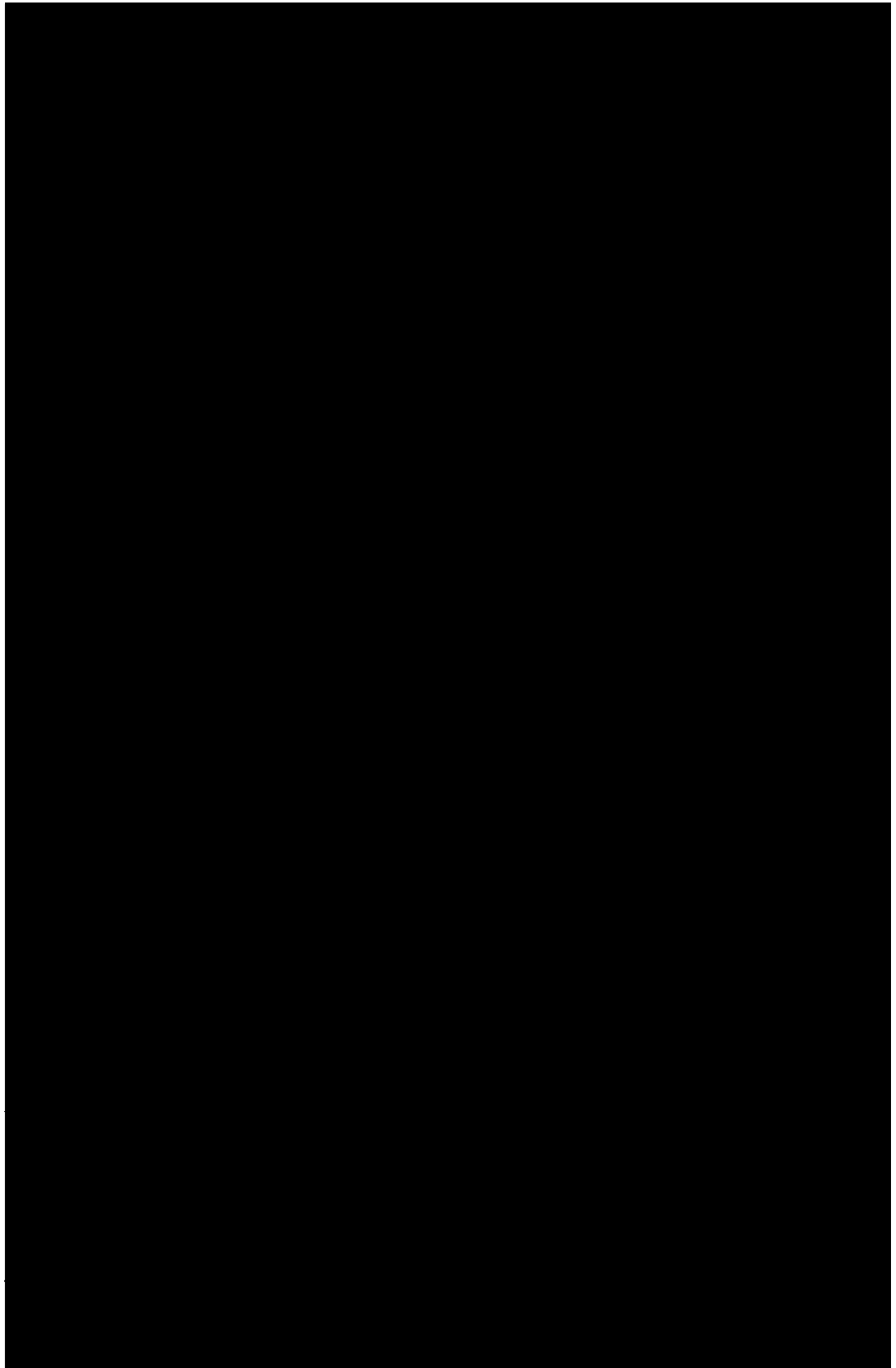
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

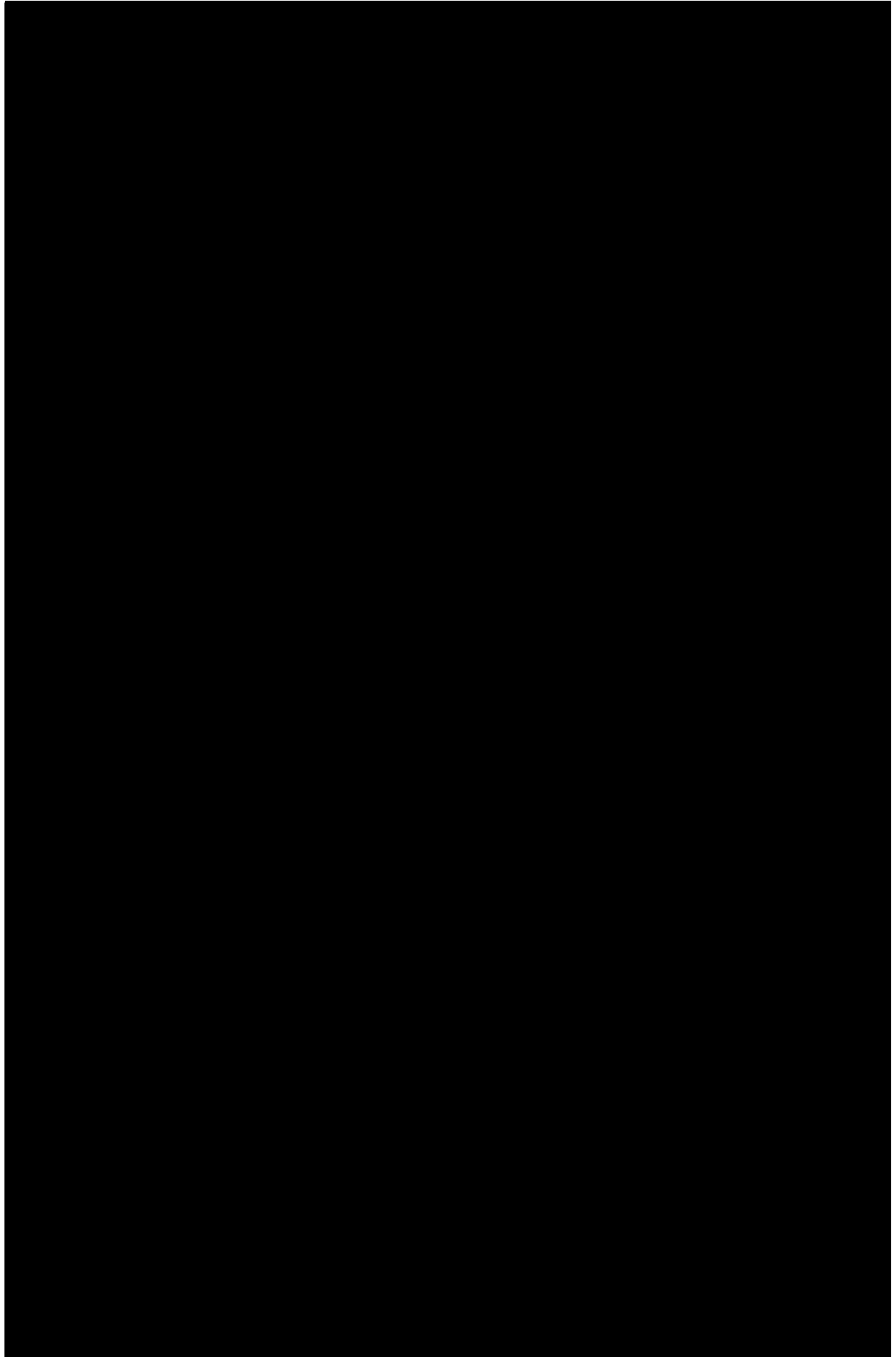


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

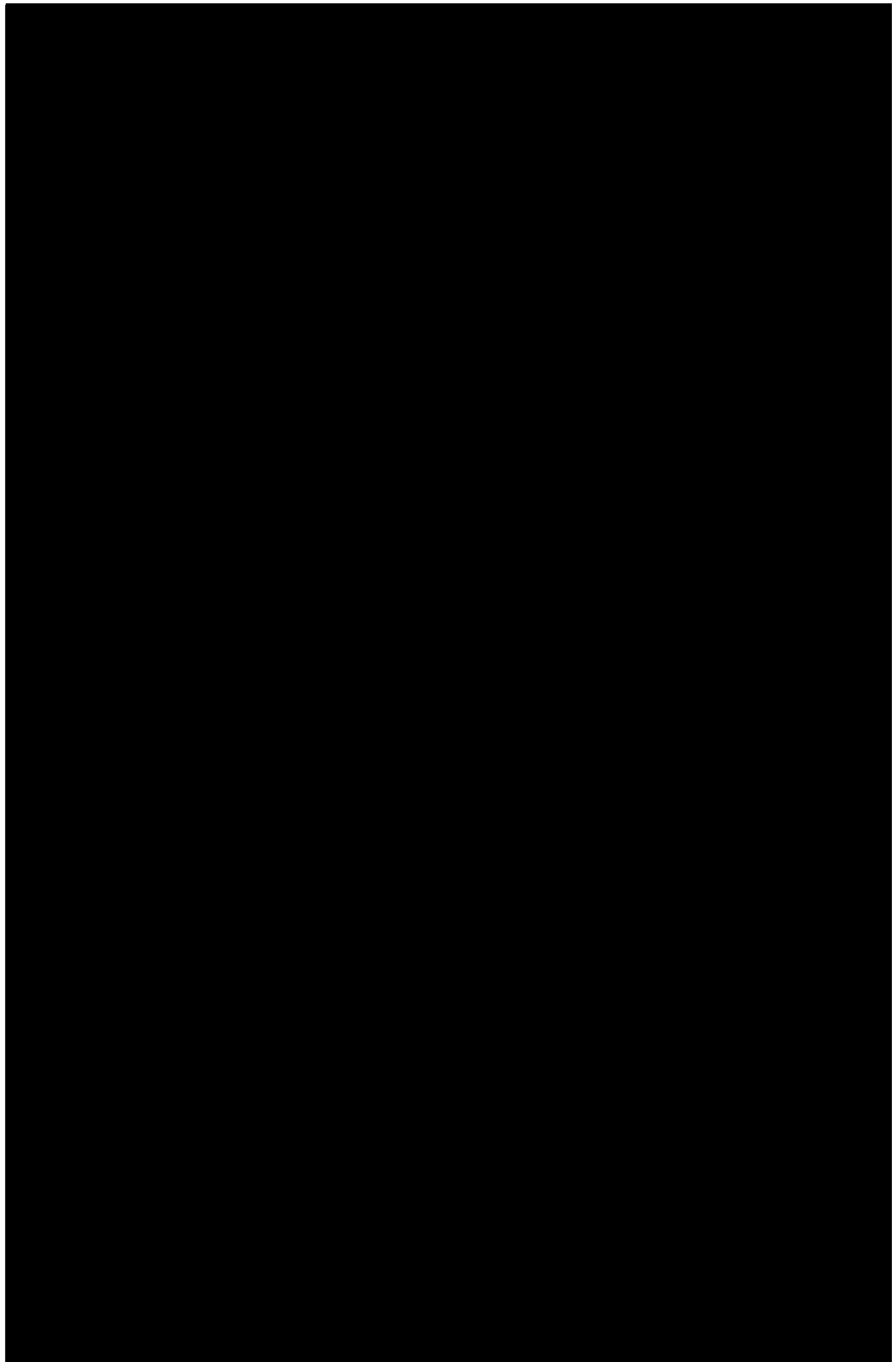


Page 244

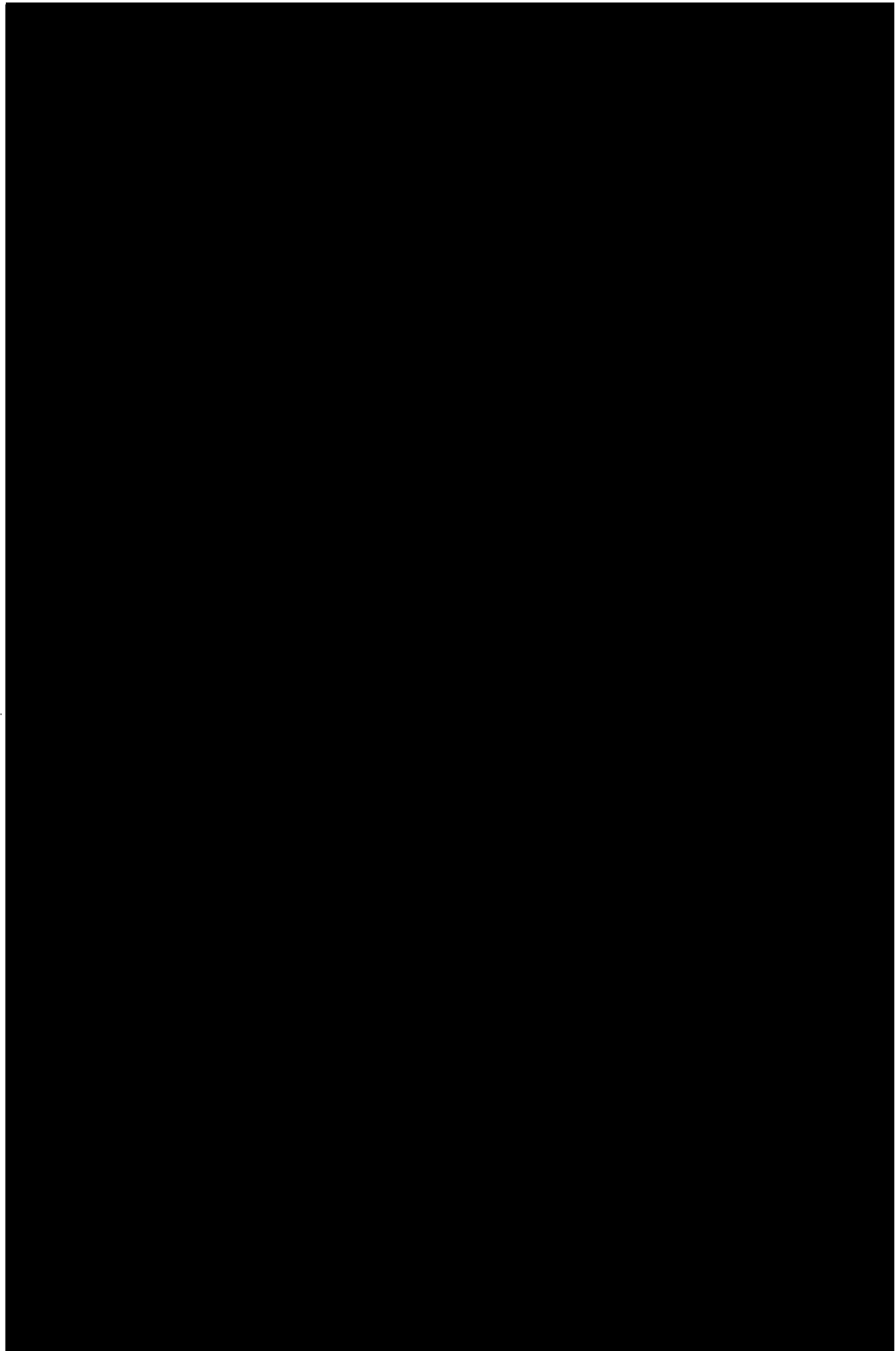
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



Page 298

1 A. Yes.

2 Q. If I understood your testimony, there is a
3 delivery of the OFAC advisor alert and then
4 something that you called the header, correct?

5 A. Yes.

6 Q. The delivery of the OFAC message alert is
7 unaltered in any substantive way, although the
8 formatting might or the spacing might look
9 different, correct?

10 MR. NEWMAN: Objection.

11 Go ahead.

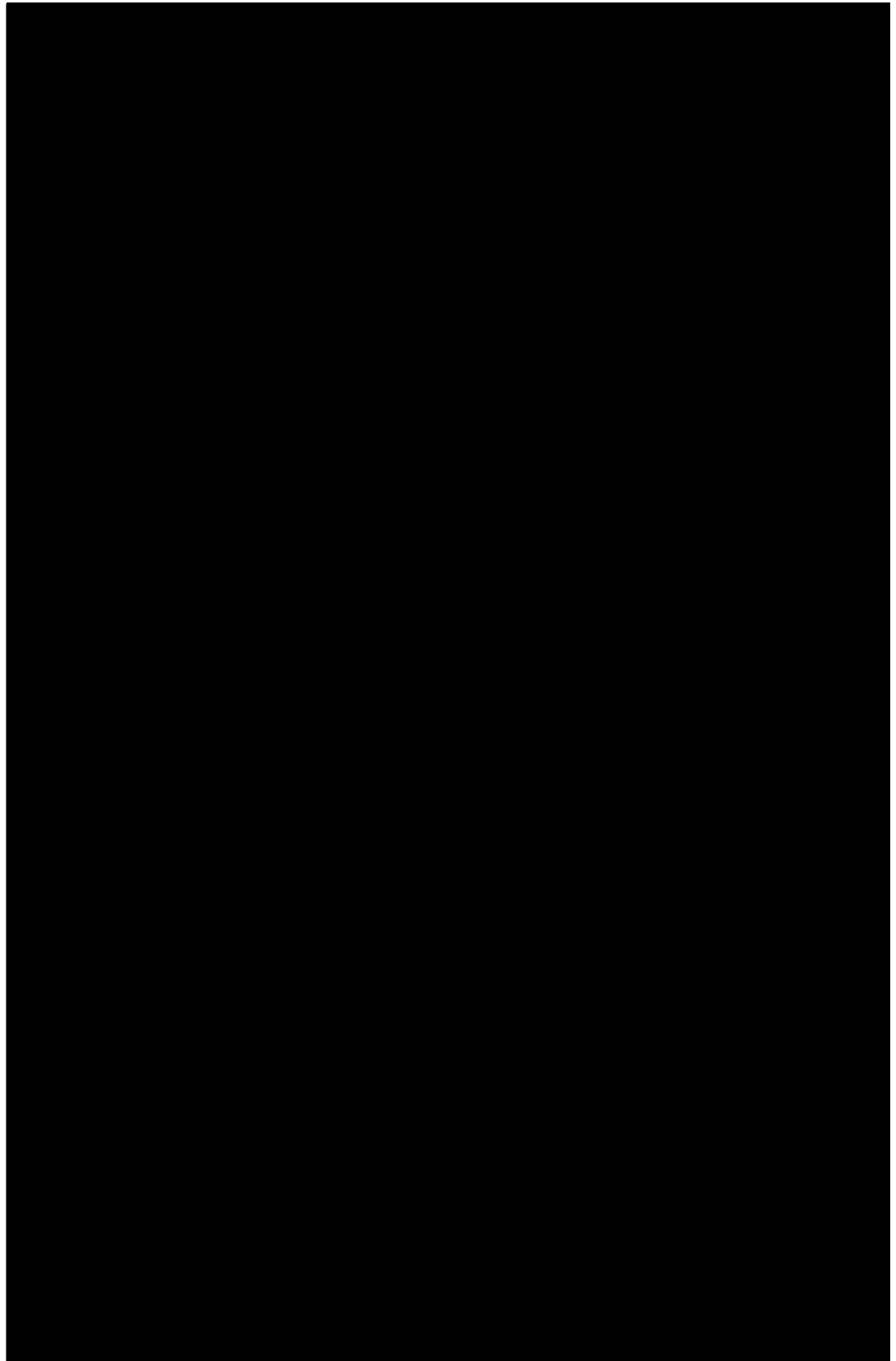
12 THE WITNESS: I'm not certain. To my view,
13 OFAC advisor alert was not provided by Trans Union
14 because Trans Union at that point should have been
15 sending the word OFAC name screen.

16 So I would call that a material
17 modification of the header data which, again, is
18 not specific to the consumer, but specific to the
19 fact that it might be a potential hit or potential
20 match.

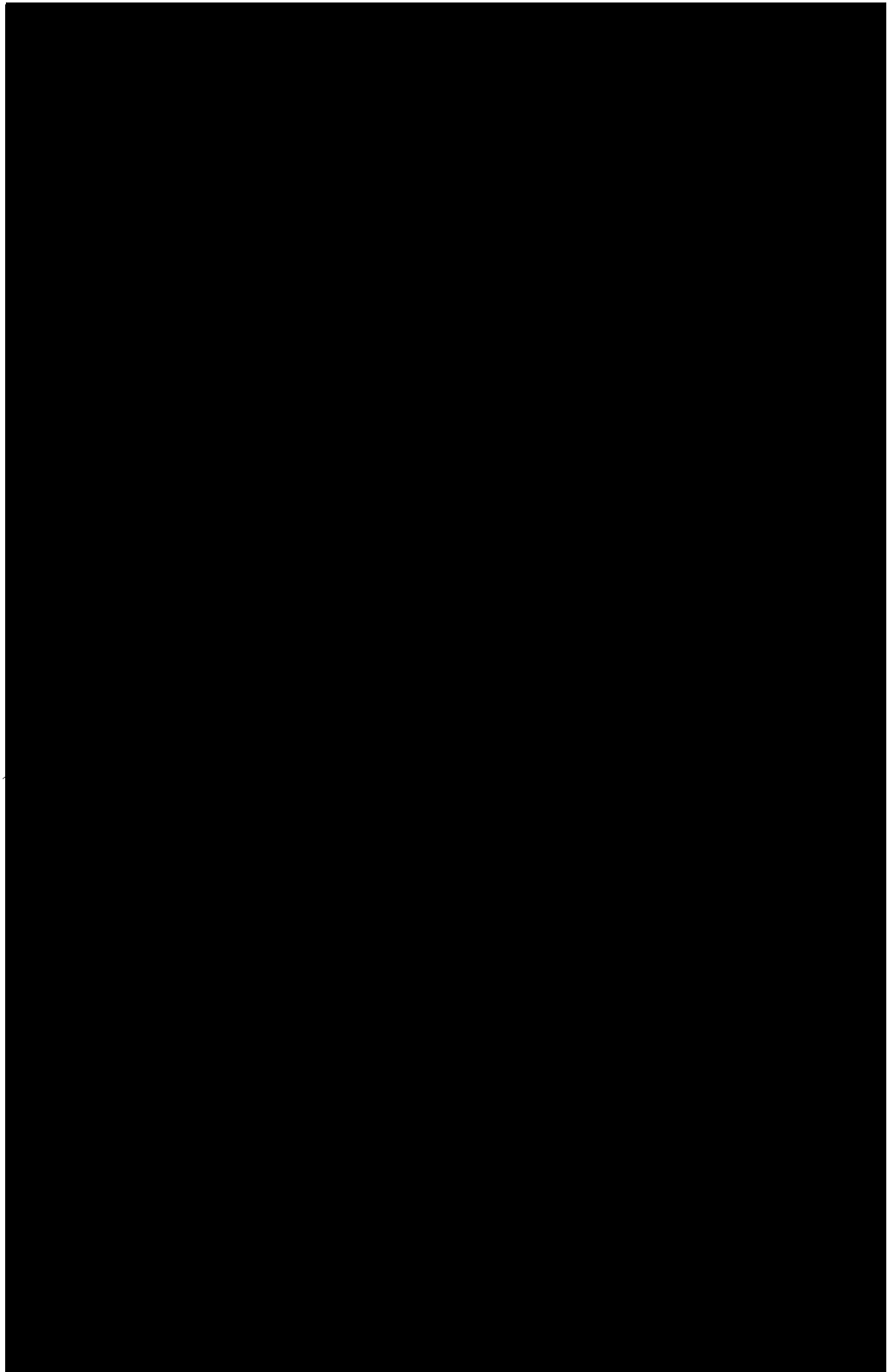
21 BY MR. SOUMILAS:

22 Q. And in terms of the number of matches or
23 hits, you are not saying that if a reseller was
24 involved in this process, that they changed who the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24



1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF C O O K)

4 I, SHELLY S. RUBAS, a Certified Shorthand
5 Reporter within and for the County of Cook County
6 and State of Illinois, do hereby certify that
7 heretofore, to-wit, on the 13th day of December
8 2012, personally appeared before me, at 205 North
9 Michigan Avenue, Chicago, Illinois, ROBERT LYTLE,
10 in a cause now pending and undetermined in the
11 UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF
12 CALIFORNIA, wherein SERGIO L. RAMIREZ is the
13 Plaintiff, and TRANS UNION, LLC, is the Defendant.

14 I further certify that the said witness
15 was first duly sworn to testify the truth, the
16 whole truth and nothing but the truth in the cause
17 aforesaid; that the testimony then given by said
18 witness was reported stenographically by me in the
19 presence of the said witness, and afterwards
20 reduced to typewriting by Computer-Aided
21 Transcription, and the foregoing is a true and
22 correct transcript of the testimony so given by
23 said witness as aforesaid.

24 I further certify that the signature to

Page 308

1 the foregoing deposition was not waived by counsel
2 for the respective parties.

3 I further certify that the taking of this
4 deposition was pursuant to Notice, and that there
5 were present at the deposition the attorneys
6 hereinbefore mentioned.

7 I further certify that I am not counsel
8 for nor in any way related to the parties to this
9 suit, nor am I in any way interested in the outcome
10 thereof.

11 IN TESTIMONY WHEREOF: I have hereunto set
12 my hand and affixed my signature this 19th day of
13 December, 2012.

14
15
16
17
18
19 _____
Certified Shorthand Reporter